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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

30° & 31° VICTORIÆ, 1867.

VOL. CLXXXVIII.

COMPRISING THE PERIOD FROM

THE EIGHTEENTH DAY OF JUNE 1867,

TO

THE TWENTY-THIRD DAY OF JULY 1867.

Fourth Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR HANSARD'S PARLIAMENTARY DEBATES,
23, PATERNOSTER ROW [E.C.]

1867.

BIBL. LONDIN. UNIV.

LONDON : CORNELIUS BUCK, PRINTER, 23, PATERNOSTER ROW.

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Postponed Resolution *considered*:—After short debate, Resolution *agreed to*.

Railways (Guards' and Passengers' Communication) Bill [Bill 39]—
Moved, "That the Bill be now read a second time,"—(*Mr. H. B. Sheridan*) 847
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Serjeant Gaselee.*)
After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 43, Noes 5; Majority 38.
Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

LORDS, TUESDAY, JULY 2.

MOLDAVIA—PERSECUTION OF JEWS—Explanation, Lord Denman .. 848

Sale of Land by Auction Bill (No. 184)—
Commons' Reasons for disagreeing to the Amendments made by the Lords to the Amendments made by the Commons *considered* (according to Order): Then it was *moved* to insist on the Amendments to which the Commons disagree 848

Sale of Land by Auction Bill (No. 184)—*continued.*

On Question, whether to insist? Their Lordships *divided;* Contents 9, Not-Contents 50; Majority 41:—*Resolved* in the *Negative;* and a Message sent to the Commons to acquaint them therewith.

Merchant Shipping Bill (No. 180)—

Moved, "That the Bill be now read 2^a,"—(*The Duke of Richmond*) .. 848

After short debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, TUESDAY, JULY 2.

Infection—Sanitary Act of 1866—Case of Emmanuel Cook—Question, Sir J. Clarke Jervoise; Answer, Mr. Gathorne Hardy 852

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Representation of the People Bill—The Ratepaying Clause—Question, Mr. Denman; Answer, The Chancellor of the Exchequer .. 854

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India—The Metric System of Weights and Measures—Question, Mr. J. B. Smith; Answer, Sir Stafford Northcote 856

Ireland—The Tyrone Magistrates—Question, Captain Archdall; Answer, Lord Naas 856

Parliamentary Reform—Representation of the People Bill [Bill 79]—

Bill *considered* in Committee [Progress July 1] 857

New Clause (Certain Boroughs to return Three Members.)

New Clause (Payment of Expenses of conveying Voters to the Poll illegal.)

After long time, Committee report Progress; to sit again upon *Thursday.*

Martial Law—Charge of the Lord Chief Justice—Resolution—*Moved,*

"That whereas, by the Law of this Kingdom no man may be forejudged of life or limb but by the lawful judgment of his Peers, or by the Law of the Land; and no commission for proceeding by Martial Law may issue forth to any person or persons whatever, by colour of which any of Her Majesty's subjects may be destroyed or put to death contrary to the Laws and Franchise of this land, and the pretended power of suspending of Laws, or the execution of Laws by Regal authority without consent of Parliament is illegal; this House would regard as utterly void and illegal any commission or proclamation purporting or pretending to proclaim Martial Law in any part of this Kingdom,"—(*Mr. O'Reilly*) 899

After long debate, Motion, by leave, *withdrawn.*

Sale of Liquors on Sunday (Ireland) Bill [Bill 95]—

Moved, "That Mr. Speaker do now leave the Chair" 918

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Order for the said Committee be discharged,"—(*Mr. Murphy,*)—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question:"—After short debate, the House *divided;* Ayes 71, Noes 92; Majority 21:—Words *added:*—Main Question, as amended, put, and *agreed to.*

Ordered, That the Order for the said Committee be discharged.

Ordered, That the Bill be committed to a Select Committee.

Attorneys, &c. Certificate Duty Bill [Bill 53]—
Moved, "That the Bill be now read the third time,"—(*Mr. Denman*) .. 922
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Hunt.*)
After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 66, Noes 87; Majority 21:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for three months.

Game Laws Amendment (Ireland) Bill—*Ordered* (*The O'Donoghue, Mr. Cogan, Mr. Serjeant Barry*); *presented,* and read the first time [Bill 226] 923

Companies Act (1862) Amendment Bill — *considered* in Committee:—Resolution *reported:*—Bill *ordered* (*Mr. Dodson, Mr. Stephen Cave, Mr. Hunt*); *presented,* and read the first time [Bill 221] 923

Sea Fisheries Bill—*Ordered* (*Mr. Stephen Cave, Mr. Hunt, Mr. Shaw Lefevre*); *presented,* and read the first time [Bill 222] 923

Guarantees of Government Officers Bill—*Ordered* (*Mr. John Abel Smith, Mr. Hankey*); *presented,* and read the first time [Bill 223] 924

Promissory Notes and Bills of Exchange Bill—*Ordered* (*Sir Colman O'Loghlen, Mr. Pim*); *presented,* and read the first time [Bill 224] 924

County General Assessment (Scotland) Bill—*Ordered* (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 225] .. 924

LORDS, WEDNESDAY, JULY 3.

The House met for Judicial Business only.

COMMONS, WEDNESDAY, JULY 3.

THE DISCOURSES OF MR. MURPHY AT BIRMINGHAM — Question, Mr. Whalley; Answer, Mr. Gathorne Hardy 925

Banns of Matrimony Bill [Bill 141]—
Moved, "That the Bill be now read a second time,"—(*Mr. Monk*) .. 926
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Beresford Hope:*)—Question proposed, "That the word 'now' stand part of the Question."
After short debate, Amendment, by leave, *withdrawn:*—Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Friday.*

Roman Catholic Churches, Schools, and Glebes (Ireland) Bill [Bill 127]—
Moved, "That the Bill be now read a second time,"—(*Sir Colman O'Loghlen*) 941
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Newdegate:*)—Question put, "That the word 'now' stand part of the Question."
After short debate, the House *divided;* Ayes 75, Noes 119; Majority 44:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for three months.

Uniformity Act Amendment Bill [Bill 68]—
Order for Committee read.
Moved, "That Mr. Speaker do now leave the Chair" 962
After short debate, Motion *agreed to:*—Bill *considered* in Committee.
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Trades Union Commission Act (1867) Extension Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 227] .. 963

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Moved, "That the Order of the 3rd of May last be dispensed with in respect of the said Bill, on the Ground of the Delay occasioned by lengthened Negotiations with a Creditor and Necessity of obtaining the Consent to the Measure of a Committee of the Grand Jury of the County of Galway,"—(*The Earl of Devon*) 964

After short debate, Motion *agreed to.*

Moved, "That the Bill be now read 2^a,"—(*The Earl of Devon.*)

After further short debate, Motion *agreed to*:—Bill read 2^a, and *committed* for *To-morrow.*

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Moved, "That the Bill be now read 2^a,"—(*The Earl of Belmore*) .. 1062
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Amendment *moved* to leave out ("now") and insert ("this Day Six Months,") (*The Lord Abinger.*)
After short debate, on Question, That ("now") stand Part of the Motion? their Lordships *divided*; Contents 17, Not-Contents 24; Majority 7
Resolved in the *Negative*; and Bill to be read 3^a *this Day Six Months.*
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After long time, Committee report Progress; to sit again upon *Monday* next.

PRIVILEGE—SIGNATURES TO A PETITION—*Moved*,
"That the Order of the 26th Day of June, that the Petition of 'Inhabitants of Halifax and its environs' do lie upon the table, be read, and discharged; and that the Petition be rejected,"—(*Mr. Charles Forster*) 1124
After short debate, Petition *rejected.*

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
THE IRISH PEERAGE—THE ROYAL PREROGATIVE—MOTION FOR AN ADDRESS—
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to consider the expediency of withholding the exercise of Her Royal Prerogative of creating Peers of Ireland, or filling up vacancies that may occur in the Peerage of that part of the United Kingdom, with a view to the ultimate union of the Peerage of Ireland with the Peerage of the United Kingdom,"—(*Sir Colman O'Loghlen,*)—instead thereof 1127
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

MOLDAVIA—TREATMENT OF THE JEWS—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of further Correspondence relating to the persecution of Jews in Moldavia,"—(*Sir Francis Goldsmid,*)—instead thereof 1136

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

MEDICAL OFFICERS OF THE ARMY—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the alteration made in the Royal Warrant of the 1st day of October 1858, has not only operated prejudicially to the interests of the medical profession, but produced an injurious effect upon the Military Service of the Country, and that it would tend to procure a better qualified class of Medical Officers, and thereby promote the greater efficiency of the Military Service generally if the recommendations of the said Committee were carried out in their integrity," —(*Mr. Synan,*)—instead thereof 1141

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

CASE OF FULFORD AND WELLSTEAD (POACHING)—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty praying that She will be graciously pleased to give directions that there be laid before this House a Copy of the Depositions on which the conviction of two men for poaching by the Salisbury Bench of County Magistrates in March last was based,"—(*Mr. Taylor,*)—instead thereof 1147

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 70, Noes 31; Majority 39.

Original Question again proposed, "That Mr. Speaker do now leave the Chair:"—Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Mr. Otway,*)—put, and *agreed to.*

LORDS, MONDAY, JULY 8.

Consecration of Churchyards (No. 2) Bill (No. 144)—

House in Committee (according to Order) 1163

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed* as amended (No. 208.)

CONVOCATION AND THE COMMISSION ON RITUALISM—Questions, The Earl of Shaftesbury, Lord Taunton; Answer, The Archbishop of Canterbury:—Debate thereon 1168

Limerick Harbour (Composition of Debt) Bill (No. 138)—

Order of the Day for the House to be put into Committee read .. 1182

After short debate, Bill *considered* in Committee:—Bill *reported* without Amendment, and to be read 3ª *To-morrow.*

COMMONS, MONDAY, JULY 8.

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FOREIGN POSTAL CONVENTIONS—Question, Mr. Hadfield; Answer, The Chancellor of the Exchequer 1186

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Parliamentary Reform — Representation of the People Bill [Bill 79]—

Bill *considered* in Committee [Progress July 5] 1193

After long time, Committee report Progress; to sit again *To-morrow* at Two of the Clock.

Courts of Law Officers (Ireland) (*re-committed*) **Bill** [Bill 145]—

Bill *considered* in Committee 1250

After short time spent therein, Committee report Progress; to sit again upon *Thursday.*

Galashiels Jurisdiction Bill—*Ordered* (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 234] 1251

Turnpike Acts Continuance Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 232] 1251

Turnpike Trusts Arrangements Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 233] 1251

LORDS, TUESDAY, JULY 9.

MEXICO—FATE OF THE EMPEROR MAXIMILIAN:—ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS—Questions, Viscount Stratford de Redcliffe; Answer, The Earl of Derby 1252

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Patriotic Fund Bill (No. 201)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Longford*) .. 1255

Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

Galway Harbour (Composition of Debt) Bill (No. 176)—

Order of the Day for the House to be put into Committee read .. 1255

After short debate, Bill *considered* in Committee; and *reported* without Amendment; and to be read 3ª on *Thursday* next.

Railways (Guards' and Passengers' Communication) Bill (No. 197)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Stanley of Alderley*) .. 1257

After short debate, Motion *agreed to*:—Bill read 2ª accordingly:—Then it was *moved* that the Bill be referred to a Select Committee; Objected to; and, on Question, *Resolved* in the *Affirmative,* and Bill *referred* to a Select Committee accordingly:—List of the Committee 1261

COMMONS, TUESDAY, JULY 9.

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Schedule X (Notice to Occupants in respect of Poor Rates.)

Preamble *agreed to.*

Bill *reported* :—As amended, to be *considered* upon *Friday*, at Two of the Clock, and to be *printed.* [Bill 237.]

TAXATION (IRELAND)—RESOLUTION—*Moved,*

"That, in the opinion of this House there has been a great and disproportionate increase of Irish Taxation since 1841, as compared with the increase of Taxation in Great Britain during the same period, which deserves the attention of Parliament,"—(*Mr. M'Kenna*) 1292

After debate, Motion, by leave, *withdrawn.*

District Lunatic Asylums Officers (Ireland) Bill—

Motion for Leave (*Lord Naas*) 1314

After short debate, Motion *agreed to :* —Bill to provide for the appointment of the Officers and Servants of District Lunatic Asylums in Ireland, and to alter and amend the Law relating to the Custody of Dangerous Lunatics and Dangerous Idiots in Ireland, *ordered* (*Lord Naas, Mr. Attorney General for Ireland*) ; *presented,* and read the first time [Bill 242.]

Customs Revenue Bill—*Presented,* and read the first time [Bill 238] 1316

Inland Revenue Bill—*Presented,* and read the first time [Bill 239] 1316

Carriers Act Amendment Bill—*considered* in Committee : — Resolution *reported:*— Bill *ordered* (*Mr. Bazley, Mr. Cornwall Legh, Mr. Wilbraham Egerton, Mr. William Edward Forster*) ; *presented,* and read the first time [Bill 243] 1316

Local Government Supplemental (No. 6) Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*) ; *presented,* and read the first time [Bill 244] 1316

COMMONS, WEDNESDAY, JULY 10.

Education of the Poor Bill [Bill 111]—

Moved, "That the Bill be now read the second time,"—(*Mr. Bruce*) .. 1317

After long debate, Debate *adjourned* till *To-morrow.*

Justices of the Peace Disqualification Removal Bill — *Ordered* (*Colonel Wilson Patten, The Marquess of Hartington*) ; *presented,* and read the first time [Bill 245] 1366

Dublin Metropolitan Police Bill — *Ordered* (*Lord Naas, Mr. Attorney General for Ireland*) ; *presented,* and read the first time [Bill 246] 1366

LORDS, THURSDAY, JULY 11.

Offices and Oaths Bill (No. 100)—

House in Committee (according to Order) 1367

The Report of the Amendments to be received on *Tuesday* next, and Bill to be *printed* as amended (No. 218.)

Transubstantiation, &c. Declaration Abolition Bill (No. 101)—

Moved, "That the House do now resolve itself into a Committee on the said Bill,"—(*The Earl of Kimberley*) 1379

Amendment *moved* to leave out ("now") and insert ("this Day Six Months,") —(*The Marquess of Westmeath.*)

Transubstantiation, &c. Declaration Abolition Bill (No. 101)—*continued.*
After short debate, Question, That ("now") stand Part of the Motion? put, and *agreed to* :—House in Committee accordingly.
After short time spent therein, it was *moved* That the Bill be now reported.
An Amendment *moved* to leave out ("now") and insert ("this Day Three Months,")—(*The Marquess of Westmeath.*)
On Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative* :—Bill reported accordingly, without Amendment; and to be read 3ª on *Tuesday* next.

Adjutants of Volunteers Bill (No. 192)—
Moved, "That the Bill be now read 3ª,"—(*The Lord Campbell*) .. 1385
Amendment *moved* to leave out ("now") and insert ("this Day Three Months,")—(*The Duke of Buckingham and Chandos.*)
After short debate, on Question, That ("now") stand Part of the Motion? their Lordships *divided* ; Contents 6, Not-Contents 18; Majority 12
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Court of Appeal Chancery (Despatch of Business) Bill [H.L.]—*Presented* (*The Lord Chancellor*) ; read 1ª (No. 215) 1388

COMMONS, THURSDAY, JULY 11.

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STAFF OFFICERS OF PENSIONERS—Question, Mr. Wyld; Answer, Sir John Pakington 1390
ARMY MEDICAL WARRANT OF 1858—Question, Mr. Synan; Answer, Sir John Pakington 1390
PRIVATE POSTAL SERVICE—Question, Mr. Baxter; Answer, Mr. Hunt .. 1391
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INDIA—LAND REVENUES—Question, Mr. Watkin; Answer, Sir S. Northcote 1395
NAVY—THE NAVAL REVIEW—Question, Sir Robert Peel; Answer, The Chancellor of the Exchequer 1396

Trades Union Commission Act (1867) Extension Bill [Bill 227]—
Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Secretary Gathorne Hardy*) 1398
After debate, Motion *agreed to* :—Bill *considered* in Committee.
After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow.*

Court of Chancery (Officers) Bill (*Lords*) [Bill 235]—
Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 1414
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Local Government Supplemental (No. 2) Bill [Bill 167]—

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LORDS, FRIDAY, JULY 12.

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Christ Church (Oxford) Ordinances Bill (No. 190)—

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After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Consecration of Churches and Churchyards Bill (No. 15)—

(*Formerly* Consecration of Churchyards (No. 2) Bill)—

Amendments *reported* (according to Order) 1427

Further Amendments made:—Bill to be read 3ª on *Monday*, the 22nd *instant*; and to be *printed* as amended (No. 222.)

Inland Fisheries of Ireland—Motion for an Address—*Moved*,

"That an humble Address be presented to Her Majesty for, Return of all Expenses of the Special Commissioners for the Inland Fisheries of Ireland, &c.:

"Similar Returns in relation to the Special Commissioners for England, &c."—(*The Marquess of Clanricarde*) 1427

After debate, Motion *agreed to*.

Book of Common Prayer—Motion for an Address—*Moved*,

"That an humble Address be presented to Her Majesty, praying Her Majesty to give Directions that Her Majesty's Printers and the Delegates of the University Press at Oxford and the Syndics of the University Press at Cambridge should return to this House:

"1. A List of the Alterations from the Text of the sealed Books existing in the Books of Common Prayer as now issued:

"2. The Dates of such Alterations:

"3. The Authority under which they were severally made,"—(*The Bishop of Oxford*) 1431

After short debate, Motion (by Leave of the House) *withdrawn*.

Court of Appeal Chancery (Despatch of Business) Bill (No 215)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1432

After short debate, Motion *agreed to*:—Bill read 2ª accordingly; Committee *negatived*: and Bill to be read 3ª on *Monday* next.

Industrial Schools Bill [h.l.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 223) 1435

COMMONS, FRIDAY, JULY 12.

South Eastern of Portugal Railway—Question, Mr. Sandford; Answer, Lord Stanley 1436

Cattle Plague—Question, Viscount Enfield; Answer, Lord Robert Montagu 1436

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METROPOLIS—HYDE PARK—Question, Mr. Ewart; Answer, Lord John Manners 1437

THE ROYAL COMMISSION ON TRADE UNIONS—MR. CONOLLY—Question, Mr. Samuelson; Answer, Mr. Gathorne Hardy 1437

MERTON COLLEGE—Question, Mr. Lowe; Answer, Lord Robert Montagu .. 1439

Parliamentary Reform—Representation of the People Bill [Bill 237]—

Bill, as amended, *considered* 1439
New Clause (Voting to be by printed papers placed in a glass urn or box) 1443
New Clause (Definition of "Expenses of Registration") 1447
New Clause (Copy of Reports of Commissioners to be evidence.)
New Clause (Convictions for felony and certain other offences to disqualify persons from voting.)
New Clause (No under sheriff, acting under sheriff, &c., to act as agent in the election of any Member for a City or Borough) 1451
New Clause (Issue of Writs to County Palatine of Lancaster) .. 1452
New Clause (Overseers to make out a list of Persons in arrear of Rates.)
Clause 2 (Application of Act.)
Clause 3 (Occupation Franchise for Voters in Boroughs.)
Clause 5 (The Occupier to be rated in Boroughs and not the Owner) .. 1458
Clause 10 (Persons reported guilty of Bribery in Lancaster disqualified as Voters for County of Lancaster in respect of Qualification arising in said Borough) 1459
Clause 21 (Electors for Members of the University of London) .. 1460
Clause 23 (Joint Occupation in Counties.)
Clause 27 (Provision for Increased Polling-Places.)
Clause 29 (Payment of Expenses of conveying Voters to the Poll illegal) 1461
Clause 42 (Corrupt Payment of Rates to be punishable as Bribery) .. 1462
Clause 46 (General Saving Clause.)
New Schedule (F) *brought up*, and read the first and second time .. 1475
Schedule B (New Boroughs) 1477
Schedule C (New Boroughs formed by Division of the Borough of the Tower Hamlets) 1479
Schedule D (Counties to be divided) 1481
Bill to be read the third time upon *Monday* next [Bill 250.]

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

COVENANTED EDUCATIONAL SERVICE IN BOMBAY—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of Correspondence between the Director of Public Instruction at Bombay and the Secretary to Government at Bombay, with respect to the constitution of a small covenanted educational service in that Presidency,"—(*Mr. Grant Duff,*)—instead thereof 1482

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to.*

PARLIAMENT—ST. STEPHEN'S CRYPT—Question, Mr. Whalley; Answer, Lord John Manners 1486

Resolved, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £150,035, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Superannuation and Retired Allowances to Persons formerly employed in the Public Service" 1487

SUPPLY—Civil Service Estimates—Committee—*continued.*

After short debate, Motion made, and Question put, "That the Chairman do report Progress and ask leave to sit again,"—(*Mr. Lusk,*)—The Committee *divided;* Ayes 3, Noes 69; Majority 66:—Original Question put, and *agreed to.*

(2.) £638, Toulonese and Corsican Emigrants, &c.

(3.) £325, Refuge for the Destitute.

(4.) Motion made, and Question proposed, "That a sum, not exceeding £1,580, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Subsistence of Polish Refugees, and Allowances to distressed Spaniards" .. 1489

After short debate, Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Whalley:*)—Motion, by leave, *withdrawn:*—Original Question put, and *agreed to.*

(5.) £38,040, to complete the sum for Merchant Seamen's Fund Pensions.

(6.) £27,400, to complete the sum for Distressed British Seamen Abroad.

(7.) £2,710, Miscellaneous Charges formerly on the Civil List, &c. 1490

After short debate, Vote *agreed to.*

(8.) £1,183, to complete the sum for Public Infirmaries (Ireland.)

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Lusk,*)—put, and *negatived.*

(9.) Motion made, and Question proposed, "That a sum, not exceeding £11,845, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the support of certain Hospitals in Dublin, and for the Expense of the Board of Superintendence" 1490

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £10,845, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the support of certain Hospitals in Dublin, and for the Expense of the Board of Superintendence."

After short debate, Motion, by leave, *withdrawn:*—Original Question put, and *agreed to.*

(10.) £5,323, Concordatum Fund, and other Charities and Allowances, Ireland.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Game Laws Amendment (Ireland) Bill [Bill 226]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 1491

Whereupon Motion made, and Question, "That this House do now adjourn," —(*Mr. Vance,*)—put, and *agreed to.*

LORDS, MONDAY, JULY 15.

Army—March of Troops to Hounslow—Question, Earl de Grey; Answer, The Earl of Longford:—Short debate thereon 1492

Metropolis—The London Water Supply—Observations, Lord de Mauley; Reply, The Duke of Richmond 1496

New Zealand—Withdrawal of Troops—*Moved,*

"That an humble Address be presented to Her Majesty, for a Return of the Regiments in New Zealand since the 1st January, 1865, and the Dates of their Embarkation," —(*The Earl of Carnarvon*) 1496

After short debate, Motion *agreed to.*

COMMONS, MONDAY, JULY 15.

Rumoured Abyssinian Expedition—Question, Colonel Sykes; Answer, Sir Stafford Northcote 1511

Telegraphic Communication—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 1512

Navy—Contract for Gunboats—Question, Mr. Seely; Answer, Mr. Corry 1512

The Whortleberry Case—Question, Mr. P. A. Taylor; Answers, Mr. Gathorne Hardy, Mr. Kendall 1513

Army—Medical Officers of the Guards—Question, Mr. O'Beirne; Answer, Sir John Pakington 1514

India—The Orissa Famine—Question, Mr. Henry Seymour; Answer, Sir Stafford Northcote 1515

Army—Knightsbridge Barracks—Question, Mr. Lowe; Answer, Sir John Pakington 1515

The Dog Duty—Question, Sir Andrew Agnew; Answer, Mr. Hunt .. 1516

Army—The Snider Rifle—Question, Major Walker; Answer, Sir J. Pakington 1517

Museum of Irish Industry—Question, Mr. Gregory; Answer, Lord Robert Montagu 1517

Metropolis—Hyde Park—Question, Mr. Alderman Lusk; Answer, Lord John Manners 1517

The Railway Accident at Warrington—Notice (*Mr. O'Beirne*) .. 1518

The Volunteer Review—Question, Lord Elcho; Answer, The Chancellor of the Exchequer 1518

Navy—The Naval Review—Observations, Colonel Knox; Reply, Mr. Corry 1519

Business of the House—Questions, Mr. Bruce; Answer, The Chancellor of the Exchequer:—Short debate thereon 1521

Army—March of Troops to Hounslow—Personal Explanation, Sir John Pakington 1523

Parliamentary Reform—Representation of the People Bill [Bill 250]—

Order for Third Reading read 1526

After long debate, Motion made, and Question proposed, "That the Bill be now read the third time:"—Question put, and *agreed to*:—Bill read the third time; Verbal Amendment made:—Bill *passed*.

Carriers' Act Amendment Bill [Bill 243]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 1614

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day two months, resolve itself into the said Committee,"—(*Mr. Dillwyn*,)—instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Committee *put off* till this day two months.

Woodhouse Collection—

Select Committee *appointed*, "to consider and report on the conduct of Mr. Consul General Saunders with reference to the bequest, by the late Mr. James Woodhouse, of his Coins and other Antiquities to the Trustees of the British Museum,"—(*Mr. Lowe*) 1614

And, on July 18, Select Committee *nominated*:—List of the Committee .. 1615

Customs Duties (Isle of Man) Bill—*Considered* in Committee:—Resolution *reported*:—Bill *ordered* (*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 253] 1615

Dundee Provisional Orders Confirmation Bill—*Ordered* (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 257] .. 1615

LORDS, TUESDAY, JULY 16.

Parliamentary Reform—Representation of the People Bill—

Presented (*The Earl of Derby*); read 1ª; to be *printed* (No. 227) .. 1615

After short debate, Bill *ordered* to be read 2ª on *Monday* next.

Transubstantiation, &c. Declaration Abolition Bill (No. 101)—

Moved, "That the Bill be now read 3ª,"—(*The Earl of Kimberley*) .. 1617

On Question? *Resolved* in the *Affirmative*; Bill read 3ª accordingly, and *passed*.

Local Government Supplemental (No. 5) Bill (No. 166)—
Order of the Day for the House to be put into Committee read .. 1619
After short debate, Order *discharged.*

CONSTABULARY (IRELAND)—CASE OF SUB-CONSTABLE JENNINGS—
Address for Papers (*The Earl of Leitrim*) 1620
After short debate, Motion (by Leave of the House) *withdrawn.*

Prorogation of Parliament Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 228) 1620

COMMONS, TUESDAY, JULY 16.

TELEGRAPHIC AND POSTAL SYSTEMS—Question, Mr. Akroyd; Answer, Mr. Hunt 1621

TURKEY—THE CRETAN INSURRECTION—APPOINTMENT OF SIR WILLIAM WISEMAN —Question, Mr. J. Stuart Mill; Answer, Lord Stanley .. 1621

IRELAND—WEIGHTS AND MEASURES—Question, Sir Colman O'Loghlen; Answer, Lord Naas 1622

THE CATTLE TRADE—Question, Mr. Dodson; Answer, Lord Robert Montagu 1622

QUEEN ANNE'S BOUNTY OFFICE—Question, Mr. Bouverie; Answer, Mr. Gathorne Hardy 1623

IRELAND—TRINITY COLLEGE, DUBLIN—Question, The O'Conor Don; Answer, Lord Naas 1623

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN—Question, Mr. Fawcett; Answer, Sir Stafford Northcote 1624

RAILWAY COMPANIES BILL—Question, Mr. Dillwyn; Answer, Mr. S. Cave .. 1626

MEETINGS IN ROYAL PARKS BILL—Question, Mr. P. A. Taylor; Answer, Mr. Gathorne Hardy 1626

NAVY—THE NAVAL REVIEW—Question, Colonel Gilpin; Answer, The Chancellor of the Exchequer 1626

BUSINESS OF THE HOUSE—MORNING SITTINGS—*Moved,*
"That, on Thursday and Friday next, this House will meet at Twelve o'clock, subject to the Standing Orders relating to sittings of the House on Wednesday,"—(*Mr. Chancellor of the Exchequer*) 1626
After short debate, Motion *agreed to.*

LANDED ESTATES (IRELAND)—RESOLUTION—*Moved,*
"That this House will, upon Monday next, resolve itself into a Committee, to consider an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to take into consideration the expediency of recommending to the House to grant a sum by way of loan, not exceeding one million sterling, to be employed in the purchase of estates which may be offered for sale in the Landed Estates Court in Ireland, such estates to be re-sold, in subdivided farms, of not less than ten or more than one hundred acres each to the occupying tenants of such estates; or in the event of the tenants declining to purchase, then to such other persons as may be willing to purchase the same in subdivided farms, the purpose being to assert and encourage an independent proprietary of small freehold estates in Ireland,"—(*Mr. O'Beirne*) .. 1628
After short debate, Motion, by leave, *withdrawn.*

Increase of the Episcopate Bill (*Lords*) [Bill 213]—
Moved, "That the Bill be now read a second time,"—(*Sir Roundell Palmer*) 1637
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Gilpin:*) —After short debate, Question put:—The House *divided;* Ayes 45, Noes 34; Majority 11:—Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Thursday.*

Investment of Trust Funds Bill [Bill 197]—
Bill *considered* in Committee 1653
After short time spent therein, Bill *reported;* as amended, to be considered upon *Thursday,* and to be *printed* [Bill 259.]

Tests Abolition (Oxford and Cambridge) Bill [Bill 16]—

Order read, for resuming Adjourned Debate on Question [18th June], "That the Bill be now read the third time:"—Question again proposed:—Debate *resumed* 1655

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Sir Michael Hicks-Beach*:)—After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

Intestates' Widows and Children (Scotland) Bill—*Ordered* (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*) 1658

Sewage Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*) .. 1659

Libel Bill [Bill 215]—

Moved, "That the Bill be now read a third time,"—(*Sir C. O'Loghlen*) .. 1659

After short debate, Notice taken, that 40 Members were not present; House counted, and 40 Members not being present House adjourned.

LORDS, THURSDAY, JULY 18.

Prorogation of Parliament Bill (No. 228)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1660

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

Agricultural Employment Bill (No. 147)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Shaftesbury*) .. 1661

After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

COMMONS, THURSDAY, JULY 18.

RAILWAY ACCIDENT AT WARRINGTON—Question, Mr. O'Beirne; Answer, Mr. Stephen Cave 1667

COMPENSATION FOR SLAUGHTERED CATTLE — Question, Mr. Read; Answer, Mr. Hunt 1668

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN—Question, Mr. H. B. Sheridan; Answer, Sir Stafford Northcote 1668

REGISTRATION OF DEEDS (IRELAND) BILL—

Moved, That a Select Committee be appointed "to inquire into the amount of Fees paid into the office for the Registration of Deeds in Ireland, and the application of those Fees,"—(*General Dunne*) 1670

After short debate, Motion, by leave, *withdrawn*.

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £30,479, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland" .. 1672

Motion made, and Question proposed, "That a sum, not exceeding £366, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland,"—(*Mr. Hadfield*:)—After debate, Question put:—The Committee *divided*; Ayes 33, Noes 106; Majority 73.

Original Question again proposed.

Motion made, and Question proposed, "That the Item of £346 3*s.* 4*d.*, for New Congregations, be omitted from the proposed Vote,"—(*Mr. Lusk*:)—After further short debate, Question put:—The Committee *divided*; Ayes 41, Noes 78; Majority 37:—Original Question put, and *agreed to* 1680

(2.) £35,945, to complete the sum for Royal Palaces:—After short debate, Vote *agreed to* 1681

(3.) £95,805, to complete the sum for Public Buildings, &c.

(4.) £10,500, to complete the sum for Furniture in Public Departments.

(5.) £100,326, to complete the sum for Royal Parks, Pleasure Gardens, &c. .. 1690

Moved, "That the Vote for the expenses of Hyde Park be reduced by a sum of £18,407; that it is just and expedient that the amount necessary to repair the damage done to the

SUPPLY—Civil Service Estimates—Committee—*continued.*

railings and Park itself by a mob of rioters, some months since, should be levied on the City of London and Metropolitan districts in the same way as damage caused by similar outrages is levied in Ireland, and that such procedure is in accordance with justice and the ancient Law of England,"—(*General Dunne :*)—After short debate, Amendment *withdrawn.*—After further short debate, Vote *agreed to.*

(6.) £45,137, to complete the sum for Houses of Parliament 1695
After debate, Vote *agreed to.*

(7.) £1,670, British Embassy Houses, Paris and Madrid 1704
After short debate, Vote *agreed to.*

(8.) £36,000, to complete the sum for New Foreign Office 1704
After short debate, Vote *agreed to.*

(9.) £31,000, to complete the sum for Public Offices' Site.
(10.) £13,260, to complete the sum for Probate Court and Registries.
(11.) £420, to complete the sum for Public Record Repository.
(12.) £32,000, National Gallery Enlargement.
(13.) £7,000, to complete the sum for Chapter House, Westminster.

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bentinck :*)—Motion, by leave, *withdrawn.*

(14.) £30,000, New Palace of Westminster, Acquisition of Lands.
(15.) £16,000, to complete the sum for Sheriff Court Houses, Scotland.
(16.) £20,000, to complete the sum for Rates for Government Property .. 1705
After short debate, Vote *agreed to.*

(17.) Motion made, and Question proposed, "That a sum, not exceeding £3,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople."

Moved, "That a sum, not exceeding £2,000, be granted, &c."—(*Mr. Monk :*)—Motion, by leave, *withdrawn.*

Original Question again proposed.

Moved, "That the Vote be reduced by £350 for iron shutters to the Ambassador's house at Therapia,"—(*Mr. Monk :*)—Motion, by leave, *withdrawn* 1706

Original Question put, and *agreed to.*

(18.) £7,000, to complete the sum for Metropolitan Fire Brigade.
(19.) £56,700, to complete the sum for Harbours of Refuge.
(20.) £21,475, to complete the sum for Holyhead and Portpatrick Harbours, &c.
(21.) £55,837, to complete the sum for Public Buildings, Ireland.
(22.) £7,000, Queen's University (Ireland) Buildings 1707
After short debate, Vote *agreed to.*

(23.) £5,500, to complete the sum for Ulster Canal.
(24.) £36,360, to complete the sum for Lighthouses Abroad.
(25.) £3,600, Isle of Man Lunatic Asylum.

Resolutions to be reported *To-morrow :*—Committee to sit again *To-morrow.*

Public Works (Ireland) Bill—*Ordered* (*Lord Naas, Mr. Attorney General for Ireland, Mr. Dick*) ; *presented,* and read the first time [Bill 262] 1708

Weights and Measures (Dublin) Bill—*Ordered* (*Lord Naas, Mr. Attorney General for Ireland*) ; *presented,* and read the first time [Bill 263] 1708

Wexford Grand Jury Bill—*Ordered* (*Colonel Tottenham, Sir James Power, Mr. Kavanagh*) ; *presented,* and read the first time [Bill 264] 1708

LORDS, FRIDAY, JULY 19.

Meetings in Royal Parks Bill (No. 113)—

Order of the Day for the Second Reading read 1709

After short debate, Order *discharged ;* and Bill (by Leave of the House) *withdrawn.*

MEXICO—FATE OF THE EMPEROR MAXIMILIAN—Notice *withdrawn* (*Viscount Stratford de Redcliffe :*)—Short debate thereon 1709

Industrial Schools Bill (No. 223)—

Moved, "That the Bill be now read 2^a,"—(*The Marquess Townshend*) .. 1711

An Amendment *moved* to leave out ("now") and insert ("this Day Three Months,"—(*The Earl of Devon.*)

After short debate, on Question, that ("now") stand Part of the Motion? *Resolved* in the *Negative,* and Bill to be read 3^a on *this Day Three Months.*

CASES OF THE "MERMAID" AND THE "TORNADO" — PETITION — Observations, The Marquess of Clanricarde; Reply, The Earl of Derby:—Short debate thereon 1714

JAMAICA — CHARGE OF THE LORD CHIEF JUSTICE — MR. PURCELL — Question, Earl Russell; Answer, The Duke of Buckingham:—Short debate thereon 1718

Maintenance of Families Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 244) 1722

Reformatory Schools Amendment Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 245) 1722

COMMONS, FRIDAY, JULY 19.

THE ABYSSINIAN CAPTIVES—Question, Mr. B. Cochrane; Answer, Lord Stanley 1723

TECHNICAL EDUCATION ABROAD—Question, Mr. W. E. Forster; Answer, Lord Stanley 1723

INSTRUCTIONS TO COLONIAL GOVERNORS—Question, Mr. W. E. Forster; Answer, Mr. Adderley 1723

NAVY—THE NAVAL REVIEW—Question, Mr. Samuda; Answer, Mr. Corry .. 1724

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN — Question, Mr. H. B. Sheridan; Answer, Sir Stafford Northcote 1726

CONTAGIOUS DISEASES (ANIMALS) BILL—Question, Sir Massey Lopes; Answer, Lord Robert Montagu 1727

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

STORM WARNINGS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient, in consequence of the suspension of 'Storm Warnings,' to continue the present arrangement with the Committee of the Royal Society, at an expense of £10,000 per annum, the average cost of the Meteorological Department of the Board of Trade having been £4,300 per annum,"—(*Colonel Sykes,*)—instead thereof 1728

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

COLONIAL GOVERNORS—MOTION FOR AN ADDRESS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the names of all the Colonial Governors, the dates of their appointments, the amount of their salaries, and the number of years' service of each,"—(*Mr. Baillie Cochrane,*)—instead thereof 1740

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

CASE OF THE SHIP "MERMAID"—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, stating that, in the opinion of this House, the demand for compensation from the Spanish Government made in respect of the destruction of the Ship 'Mermaid' was just and right, and that there is nothing in the Correspondence laid before this House which would sanction Her Majesty's Government in withdrawing from the demand that has been made,"—(*Mr. Headlam,*)—instead thereof 1743

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN—MOTION FOR AN ADDRESS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a List of the Persons invited to meet the Sultan at the State Entertainment to be given to His Majesty by the Indian Government,"—(*Mr. Henry B. Sheridan,*)—instead thereof 1759

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Supply—Committee—*continued.*

The Birmingham Riots—Observations, Mr. Whalley 1764

Prison Ministers Act—Observations, Mr. MacEvoy; Reply, Mr. M'Laren 1765

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Civil Service Estimates—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £1,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1868, for the Civil Establishment of the Bermudas" 1769

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Whalley*:)—Motion, by leave, *withdrawn*:—Original Question put, and *agreed to.*

(2.) £2,038, to complete the sum for Ecclesiastical Establishment, British North American Provinces.

(3.) £16,678, to complete the sum for Governors and others, West Indies, &c.

(4.) £4,300, to complete the sum for Justices, West Indies.

(5.) £13,500, to complete the sum for Civil Establishment, Western Coast of Africa.

(6.) £2,230, to complete the sum for St. Helena.

(7.) £500, Orange River Territory.

(8.) £1,100, Heligoland.

(9.) £3,836, to complete the sum for Falkland Islands.

(10.) £1,183, to complete the sum for Labuan.—After short debate, Vote *agreed to* .. 1770

(11.) £8,036, to complete the sum for Emigration.

(12.) £1,000, Niger Expedition.—After short debate, Vote *agreed to* 1771

(13.) £1,100, Coolie Emigration from India.—After short debate, Vote *agreed to.*

(14.) £2,000, to complete the sum for Treasury Chest.

(15.) Motion made, and Question proposed, "That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade" 1772

After short debate, report Progress.

Resolutions to be reported upon *Monday* next; Committee also report Progress; to sit again upon *Monday* next.

Church Temporalities Orders (Ireland) Validation Bill—*Ordered* (*Mr. Attorney General for Ireland, Lord Naas*); *presented,* and read the first time [Bill 267] .. 1773

LORDS, MONDAY, JULY 22.

Parliamentary Reform—Representation of the People Bill (No. 227)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Derby*) .. 1774

An Amendment *moved* to leave out from ("That") to the End of the Motion for the purpose of inserting the following Words:—

"The Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question, or to promote the future good Government of the Country; but the House, recognizing the urgent Necessity for the passing of a Bill to amend the existing System of Representation, will not refuse to give a Second Reading to that which has been brought to it from the House of Commons, in the Hope that in its future Stages it may be found possible to correct some of its Faults, and to render it better fitted to accomplish the proper Objects of such a Measure,"—(*The Earl Grey*) 1803

After long debate, *Moved,* "That the debate be now adjourned,"—(*The Earl of Shaftesbury*)

Motion *agreed to*:—Further Debate *adjourned* till *To-morrow.*

Naval Knights of Windsor Bill [H.L.]—*Presented* (*The Earl of Belmore*); read 1ª (No. 252) 1872

COMMONS, MONDAY, JULY 22.

Turkey—The Cretan Insurrection—Appointment of Sir William Wiseman—Question, Mr. J. Stuart Mill; Answer, Lord Stanley 1873

ARMY — INCREASE OF PAY—Question, Captain Vivian; Answer, Sir John Pakington 1873

POOR LAW BILL—Question, Mr. T. B. Potter; Answer, Mr. Sclater-Booth .. 1874

IRELAND—THE TYRONE MAGISTRATES—Question, Colonel Stuart Knox; Answer, Lord Naas 1874

BUSINESS OF THE HOUSE — Statement, The Chancellor of the Exchequer—Short debate thereon 1875

WEST INDIA BISHOPS AND CLERGY BILL—Question, Mr. Remington Mills; Answer, Mr. Adderley 1878

INCREASE OF THE EPISCOPATE BILL — Question, Mr. White; Answer, Sir Roundell Palmer 1878

Meetings in Royal Parks Bill [Bill 134]—

Moved, "That the Bill be now read the second time,"—(*Mr. Gathorne Hardy*) 1878

After short debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Taylor*)

After further short debate, Question put, "That the word 'now,' stand part of the Question:" — The House *divided;* Ayes 181, Noes 64; Majority 117:—Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *To-morrow,* at Twelve of the clock.

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL — Question, Sir Andrew Agnew; Answer, The Chancellor of the Exchequer 1897

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Question again proposed, "That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade" 1897

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £19,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade,"—(*Mr. Lusk*) 1898

After short debate, Motion, by leave, *withdrawn:*—Original Question put, and *agreed to.*

Motion made, and Question proposed, "That a sum, not exceeding £6,450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves" .. 1900

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £5,450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves,"—(*Mr. Childers:*)—Motion, by leave, *withdrawn.*

Original Question again proposed.

(2.) Whereupon Motion made, and Question proposed, "That a sum, not exceeding £5,750, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves,"—(*Mr. Childers,*)—put, and *agreed to.*

(3.) £124,188, to complete the sum for Consuls Abroad 1900

After short debate, Vote *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*continued.*

(4.) £103,983, to complete the sum for Services in China, Japan, and Siam .. 1901
After short debate, Vote *agreed to.*

(5.) £26,000, to complete the sum for Ministers at Foreign Courts, Extraordinary Expenses.—After short debate, Vote *agreed to* 1901

(6.) Motion made, and Question proposed, "That a sum, not exceeding £26,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers and others" 1902
After short debate, Motion made, and Question proposed, "That the Item of £1,728 9*s.* 9*d.*, for Expenses of British Medical Commission on Cholera at Constantinople be omitted from the proposed Vote,"—(*Sir J. Clarke Jervoise*) 1903
After further short debate, Motion, by leave, *withdrawn* :—Original Question put, and *agreed to.*

(7.) £1,658, to complete the sum for Third Secretaries to Embassies.

(8.) £23,000, to complete the sum for Temporary Commissions.

(9.) £23,410, to complete the sum for Patent Law Expenses.

(10.) Motion made, and Question proposed, "That a sum, not exceeding £11,667, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Board of Fisheries in Scotland" .. 1904
Whereupon Motion made, and Question proposed, "That a sum, not exceeding £5,895 5*s.*, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Board of Fisheries in Scotland,"—(*Mr. Lamont* :)—After short debate, Motion, by leave, *withdrawn* :—Original Question put, and *agreed to.*

(11.) £39,948, to complete the sum for Dues payable under Treaties of Reciprocity.

(12.) £1,700, to complete the sum for Inspection of Corn Returns 1905
After short debate, Vote *agreed to.*

(13.) £550, Boundary Survey, Ireland.

(14.) £416, Publication of Brehon Laws, Ireland.—After short debate, Vote *agreed to* 1905

(15.) Motion made, and Question proposed, "That a sum, not exceeding £2,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for encouraging the cultivation of Flax in the South and West of Ireland" 1905
After short debate, Motion made, and Question proposed, "That a sum, not exceeding £1,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for encouraging the Cultivation of Flax in the South and West of Ireland,"—(*Mr. Lusk* :)—Motion put, and *negatived* :—Original Question put, and *agreed to* 1906

(16.) £780, Malta and Alexandria Telegraph and Telegraph Companies.

(17.) £10,000, Collection of Agricultural Statistics, Great Britain 1906
After short debate, Vote *agreed to.*

(18.) £791, to complete the sum for the Household of the late King of the Belgians.

(19.) £13,592, to complete the sum for Miscellaneous Expenses formerly defrayed from Civil Contingencies.—After short debate, Vote *agreed to* 1907

Resolutions to be reported upon *Thursday* ; Committee to sit again *To-morrow*, at Twelve of the clock.

Turnpike Acts Continuance Bill [Bill 232]—
Moved, "That the Bill be now read a second time" 1909
After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Thursday.*

Courts of Law Officers (Ireland) Bill [Bill 178]—
Moved, "That the Bill be now read a third time" 1911
After short debate, Motion *agreed to* :—Bill read the third time, and *passed.*

County Courts Acts Amendment Bill (*Lords*) [Bill 212]—
Bill *considered* in Committee 1911
After short time spent therein, Committee report Progress; to sit again *To-morrow.*

District Lunatic Asylums Officers (Ireland) Bill [Bill 242]—
Bill *considered* in Committee 1914
After short time spent therein, Bill *reported* ; as amended, to be *considered* upon *Friday*, and to *printed.* [Bill 269.]

LORDS, TUESDAY, JULY 23.

Page

REPRESENTATION OF THE PEOPLE BILL—THE DEBATE—Personal Explanation, The Earl of Carnarvon 1916

Parliamentary Reform — Representation of the People Bill (No. 227)—

Order of the Day for resuming the adjourned Debate on the Earl Grey's Amendment to the Motion for the Second Reading read; Debate *resumed* accordingly 1916

After long debate, on Question, Whether the words proposed to be left out shall stand part of the Motion? it was *Resolved* in the *Affirmative:*—Then the original Motion was *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, TUESDAY, JULY 23.

Meetings in Royal Parks Bill [Bill 134]—

Order for Committee read 2033

Bill *reported;* to be *printed,* as amended [Bill 273]; *re-committed* for *Monday* next.

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CASE OF THE "TORNADO"—Observations, Mr. Gregory; Reply, Sir Roundell Palmer 2034

After long debate, Motion, by leave, *withdrawn:*—Committee *deferred* till *To-morrow.*

FOREIGN DECORATIONS—Question, Mr. Labouchere; Answer, Lord Stanley 2070

THE ADMIRALTY COURT—Question, Mr. Bouverie; Answer, The Chancellor of the Exchequer 2071

THE DANUBIAN PRINCIPALITIES — PERSECUTION OF JEWS — Question, Mr. Alderman Salomons; Answer, Lord Stanley 2071

IRELAND—HABEAS CORPUS SUSPENSION ACT—Question, Mr. Blake; Answer, Lord Naas 2072

CASE OF THE "ARKADI"—Question, Mr. Layard; Answer, Lord Stanley .. 2072

PURCHASES AT THE PARIS EXHIBITION — Question, Mr. Layard; Answer, The Chancellor of the Exchequer 2074

NAVAL SQUADRON (WEST COAST OF AFRICA)—RESOLUTION—

Moved, "That the maintenance of the Naval Squadron on the West Coast of Africa, as it has hitherto been placed, is no longer expedient,"—(*Sir Hervey Bruce*) 2074

After debate, Motion, by leave, *withdrawn.*

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present House adjourned.

[SAT FIRST, &c.

LORDS.

SAT FIRST.

MONDAY, JULY 22.

The Lord Kingston, after the Death of his Brother.

COMMONS.

NEW WRITS ISSUED.

TUESDAY, JULY 16.

For *Gloucester County* (Western Division), *v.* Sir John Rolt, Knight, one of the Judges of the Court of Appeal in Chancery.

For *Andover*, *v.* Sir John Burgess Karslake, Knight, Attorney General.

For *Cambridge University*, *v.* Charles Jasper Selwyn, Esq., Solicitor General.

For *Coventry*, *v.* Morgan Treherne, Esq., deceased.

For *Birmingham*, *v.* William Scholefield, Esq., deceased.

NEW MEMBERS SWORN.

MONDAY, JULY 22.

Andover—Sir John Burgess Karslake, Knight.

TUESDAY, JULY 23.

Cambridge University—Charles Jasper Selwyn, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, AND THENCE
CONTINUED TILL 5 FEBRUARY, 1867, IN THE THIRTIETH
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, June 18, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Naval Stores* (160); Pier and Harbour Order Confirmation (No. 3)* (161); Railways (Scotland)* (162).
Second Reading—Chatham and Sheerness Stipendiary Magistrate (142); Houses of Parliament* (136); Limerick Harbour (Composition of Debt) (138); National Gallery Enlargement* (150); Inclosure (No. 2)* (158).
Committee — Local Government Supplemental (No. 2)* (119); Policies of Insurance* (126); Metropolitan Police* (135).
Report — Bunhill Fields Burial Ground* (105); Metropolitan Police* (135).

RAILWAY BILLS—"PRE-PREFERENCE CAPITAL."—OBSERVATIONS.

Several Private Bills relating to Railway, Gas, and other Companies, having been read a second time,

LORD REDESDALE said, he desired to call the attention of their Lordships to the circumstance that some of the Bills which had been just read a second time contained provisions for the issue of what was called "pre-preference capital." As these Bills were opposed, they would not come before him in the ordinary course; but he would take care that the House should not pass the pre-preference clauses without some explanation being given. He could conceive nothing more destructive of all railway property than the issuing of pre-preference stock.

CHATHAM AND SHEERNESS STIPENDIARY MAGISTRATE BILL—(No. 142.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE, in moving that the Bill be now read the second time, said, it had been introduced at the request of the Board of Admiralty, in consequence of the rapid spread of small pox among the crews of the ships in the harbour. In the beginning of March last a Report was made by Sir Baldwin Walker, the Admiral

Commanding at Sheerness, to the Secretary of the Admiralty on the subject, and was communicated to the Home Office. In that Report the gallant Admiral expressed an opinion that immediate steps ought to be taken for the purpose of checking the spread of this contagious disorder at Sheerness and Chatham. Sir Baldwin Walker gave ample reasons for his Report, stating the fact that there had been an alarming increase in the deaths from small pox, and that several cases had occurred on board several of Her Majesty's ships at those ports. Application was made to the Sanitary Board of those towns; but the authorities were informed that that body had no means of checking the spread of the disease. Sir Baldwin Walker stated in his Report that persons suffering from the disorder had been seen walking about the streets and frequenting places of worship and places of public amusement, to the great danger of the service and the public at large; and that articles by which the infection might be conveyed were publicly sold. The Home Office having no power to interfere, referred the Reports to the Privy Council; and, on the 16th of March, an inquiry having been instituted, a Report was received from the local authorities stating that although the disease broke out in July of the previous year, it did not become epidemic until the following November. Since then no less than thirty-nine deaths had occurred, and from the number of cases brought to the attention of the medical officers it was plain that it was attributable to the want of vaccination and the overcrowding of families in small and inconvenient dwellings. The Privy Council had ascertained that the law as it at present existed, if carried out, would be sufficient to remedy the main causes of the evil, and the medical inspectors quite concurred in the recommendation of Sir Baldwin Walker that a stipendiary magistrate should be appointed, whose duties should be mainly directed to carrying out the provisions of the law with reference to the prevention of the spread of contagious diseases. As the Act failed mainly from want of the machinery, the Government had introduced the present Bill to supply the deficiency. The noble Earl concluded by moving the second reading of the Bill.

LORD STANLEY OF ALDERLEY expressed his approval of the appointment of a stipendiary magistrate; but warned the Government that they were introducing a dangerous principle when they proposed that a local stipendiary magistrate should be paid out of the Consolidated Fund.

VISCOUNT SYDNEY did not think that the objection applied in the present instance. The necessity for the appointment of a stipendiary magistrate at Chatham and Sheerness arose from the charges against the soldiers in garrison, who, according to the present practice, were heard before the bench at Chatham three times a week.

After a few words from The Earl of ROMNEY, who supported the Bill,

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

SALE OF LAND BY AUCTION BILL.

(NO. 184.)—(*The Lord St. Leonards.*)

Commons Amendments *considered* (according to Order.)

LORD ST. LEONARDS *moved*—

> "That the House do agree to all the Amendments of the Commons except the Amendments to the 8th Section of the Bill as shown in the Print of the Bill with the Commons Amendments; and that the House do disagree to the said Amendments to the said 8th Section."

THE EARL OF MALMESBURY asked what the noble and learned Lord proposed.

LORD CRANWORTH said, the clause originally provided that the vendor might employ a person to make one bidding. The Commons altered the clause to allow the person so employed to make any number of biddings. The noble and learned Lord suggested that there should be added to the clause as amended by the Commons a proviso that such biddings should not go beyond the reserved price.

THE DUKE OF BUCKINGHAM thought the clause ought to be printed.

Then it was *moved* that the further Consideration thereof be adjourned; objected to; and, on Question, *Resolved* in the *Negative:* The said Amendments further *considered,* and *agreed to,* with Amendments; and Bill, with the Amendments, returned to the Commons.

LIMERICK HARBOUR (COMPOSITION OF DEBT) BILL—(No. 138.)

(*The Earl of Devon.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DEVON said, that the object of the Bill was to enable Her Majesty's Treasury to accept a composition due from the Limerick Harbour Commissioners, and moved that it now be read a second time.

The Earl of POWIS said, the Bill seemed slightly Hibernian in its character. It not only arranged for the composition of a very heavy debt, but also contained a provision for lending a fresh sum. Surely, if they could repay the fresh loan, they ought also to be able to pay the debt already incurred. He would not oppose the second reading; but he thought that a statement of the past expenditure and future prospects of the Commissioners ought to be laid before their Lordships before the Bill was finally passed.

Lord EGERTON thought it impossible that their Lordships could properly investigate the accounts connected with this matter, and thought that the Bill should be referred to a Select Committee, as was done in similar cases in the other House.

Motion *agreed to:* Bill read 2ª accordingly, and *committed.*

CAPE OF GOOD HOPE—WITHDRAWAL OF TROOPS.—PETITION.

The Duke of MANCHESTER, in *presenting* a petition from Inhabitants of the colony of the Cape of Good Hope, said, that the petitioners prayed generally against the withdrawal of the regular troops, a proposal which they contemplated with considerable apprehension. The petitioners also referred to the annexation of British Kaffraria which was inhabited by Native tribes, which were perpetually at war with each other. The petitioners alleged that this annexation had been made without duly consulting them, and though they did not make any complaint on that ground, they expressed their opinion that some arrangement might have been made, more conducive to the maintenance of peace, than the existing one was likely to prove, and they thought that the immediate withdrawal of the English troops would have a bad effect on the adjoining frontiers. In the present unfortunate financial state of the colony the colonists were unable to make adequate provision for its defence. He (the Duke of Manchester) must say he thought the colonists had some reason for the demand which they now made upon the Government; they had also reason to complain of the annexation to the colony of a large territory inhabited by restless savage tribes without having been consulted in the arrangement. He did not think that Parliament should take upon itself to impose laws on colonies which had Legislatures of their own without any representation of those colonies or taking their opinion as to the course to be adopted. It might perhaps be impracticable to have colonial representatives in the House of Commons; but there might be a kind of Imperial Council in which the colonies should be represented in some fair proportion, and no measure which affected the colonies as well as the United Kingdom should pass into law without the sanction of that Council. He thought the Government might fairly comply with the prayer of the petition, that until the financial embarrassment of the colony was diminished, and the present danger from Native tribes passed away, the regular military forces should not be withdrawn.

The Earl of CARNARVON expressed his regret that the noble Duke had not given him earlier notice of his intention to present this petition; but it was only this morning that he became aware of it, and he was no longer in a position to discuss the matter in detail, not having immediate access to those papers and other sources of information which it was desirable he should consult before addressing their Lordships. He must, therefore, trust to his general recollection of the circumstances in dealing with the question. The subject was really a very large one, being neither more nor less than the terms on which Her Majesty's forces should be stationed in our colonies. The House was aware that the Imperial troops were scattered over all parts of our enormous Empire. In many cases they were stationed in those places for reasons that might be said to be purely, or almost purely, Imperial. So long, for instance, as we garrisoned Malta, so long as we held Gibraltar, Ceylon, Singapore, and Hong Kong, we must be prepared to place there whatever troops might be required for the defence of these stations, and spend whatever money was required from the Imperial treasury. Some of the troops, again, were stationed in some places, not for Imperial but for colonial and local objects. The terms on which they were stationed in Canada and Australia, for instance, varied very materially. For instance, Canada and the British North-American provinces paid no direct contribution whatever towards the military forces stationed there; but, on the other hand, Canada did pay indirectly a very large sum. In 1864 Canada paid 300,000 dollars for the Militia and

Volunteers, and in 1866 she paid upwards of 2,000,000 dollars for the same purpose. In Australia there was no indirect payment, but there was direct payment, and sometimes to a very considerable extent. In some instances, every soldier maintained in an Australian colony was charged at so much per head. In these cases a very considerable sum was paid. In the same way, a question arose not long since with regard to the stationing of a ship of war in the harbour of Victoria. When the Government looked into the question, it was apparent that the colony had spent a very large sum—upwards of £1,000,000—in the defence of the harbour; and it appeared to be wise, on political as well as economical grounds, to concede that point. But with regard to the Cape, the arrangements were of a very different nature. The noble Duke (the Duke of Manchester) said the Cape colonists had some grounds in reason for this petition; but he (the Earl of Carnarvon) wished the noble Duke had stated what those grounds were. For a great number of years Cape Colony had had a considerable body of Imperial troops, and at the present moment there were upwards of 4,000 British soldiers employed there. If he was not mistaken, the state of circumstances there at the present moment was this. The charge which devolved on this country for maintaining those troops exceeded £300,000 a year. The colony bore an infinitesimally small proportion of the military charge. About £50,000 was paid for police; but the colony had no right, because it paid for a police force, to exact from the Government a large expenditure for regular troops. They only paid £10,000 a year as the colonial allowance towards the maintenance of the troops, though, if they paid at the same rate as most other colonies, the colonial allowance of the Cape would amount to £30,000. He was therefore at a loss to understand what hardship the Cape colonists had to complain of on this head. Considering the serious financial embarrassment and the commercial difficulties which had beset the colony of the Cape for several years, he, as Colonial Minister, while believing that it was only just that the Cape colonists should be charged on the same scale as the majority of British colonies, was quite willing to make to them an allowance in point of time; and he accordingly proposed in a despatch that for the year 1867 no claim should be made on the colony in regard to an increase of the colonial allowance; that in 1868 the colony should pay the same rate per man as Australia for one battalion; that in 1869 it should pay the same rate for two battalions, and in 1870 it should pay the same for a third battalion. After that he proposed there should be no change until 1872, when the whole charge should be subject to revision. He did not think that that was an unreasonable or unfair proposition. The Cape colonists had enjoyed for very many years past the benefit of the presence of a very large military force, and of all the protection which that force afforded, as well as of the benefit arising out of the large Imperial expenditure which had taken place in consequence without the payment of one farthing on their part, except the £10,000 he had already mentioned. In the next place, he proposed by the terms of his despatch that one regiment should be withdrawn next year, another in the year following, and another in the third year. He might have reduced the force all at once, but he declined to do so, and adopted a gradual course in order to meet the commercial pressure in the colony. The only doubt in his mind was whether he was dealing fairly by this country in conceding terms so favourable to the Cape, in comparison with other colonies which paid very large sums and were not so favourably treated. Hong Kong, which was subjected to much more commercial embarrassment than the Cape, paid £20,000 a year; and the terms arranged with the colony of Ceylon were that they should pay £160,000 in a lump sum to this country; while in the same way Singapore, under the new arrangement, paid a very fair proportion. Even the little colony of St. Vincent was ready a few months ago to pay £4,000 a year, provided only a small detachment of infantry should be stationed there. Again, in Australia the terms arranged were very fair on both sides, though he could not say as much for New Zealand, where some objections had been raised. He only mentioned these cases of the other colonies in order to show that the Cape colony had no just or reasonable cause of complaint. He was not prepared to say that when they required the Cape colony to bear the burden of the military expenditure there they should not at the same time give to the colony responsible government. The expediency of having responsible government was discussed in the colony more than once some six or seven years ago, and a proposition in its favour was rejected by a small majority. If responsible Government by the colony itself were to be adopted, of course many very important changes would follow upon it. Their Lordships might not be aware that the colony was divided into two districts—the eastern and western districts; and the eastern district, apart from the Native population, was chiefly inhabited by settlers of English descent, while the western district was chiefly inhabited by Dutch colonists; and it was a curious fact that the English colonists were rather averse to responsible government, while the Dutch were generally in favour of it. His own opinion was, considering the present circumstances of South Africa, the great extent of frontier there, and the general state of affairs, that the Cape colony was not yet ripe for responsible government in the full sense of the term; but when the colonists were fairly in a position to receive it, no doubt the subject would meet with ready consideration on the part of Her Majesty's Advisers. The real difficulty in this and similar questions, arose from the presence of the Native population. The 4,000 troops maintained at the Cape were certainly not kept there in furtherance of any Imperial policy, but simply with a view to Native policy and nothing else; and if Native policy were put out of consideration, there would be no pretence whatever for maintaining a large British force there. One of the questions to be considered in reference to the policy to be pursued was whether it would be safe to withdraw a large portion, or, it might be, the whole, of the troops from the colony, and on this point he could only say that no one living in this country, and perhaps no one residing in the colony, was able to speak with any degree of certainty as to the results of taking such a step. He had, however, made inquiries on the subject of every person whose opinion was worth having, and had been led to the conclusion that it was practicable and consistent with the actual state of the colony to make the reduction which he had proposed. At the present time, it should be borne in mind, the position of the Natives on the frontier was very different from that which they occupied when the noble Duke was at the Cape, a quarter of a century ago. Since then a great many of the tribes which threatened the peace of the colony had been broken up, and had absolutely disappeared. A very large proportion of them, indeed, had come into the colony; and for several years past many others had applied to be taken under British protection. Therefore, looking at the general attitude of the tribes and their strength for aggressive purposes, he was of opinion that it was quite safe to reduce the number of British troops in the colony. And though the Orange Free State was, in many points of view, a source of objection and difficulty as far as the Natives were concerned, yet there could be no doubt that the presence of the Free State acted as a great check upon them by preventing aggressive tendencies on their part. It used formerly to be said that the maintenance of a body of troops in a colony, where there was a large Native population, gave us a better control over the colonial administration, and therefore gave us the power of protecting the Natives and ameliorating their condition. That opinion was very widely held even at the present day, and he did not hesitate to declare that he himself had entertained it for a considerable time, and had only given it up with great reluctance. Experience had shown, as in the case of New Zealand, that although we might profess to exercise a control of the colonial policy, the presence of British troops had been powerless to prevent long and bloody Native wars breaking out, the justice of which was often, to say the least, doubtful. At the Cape, too, an enormous military force had been maintained for many years past, but it had been unable to prevent the breaking out from time to time of Native wars, attended with the greatest possible cruelty, and involving this country in considerable expense. The control over the Natives, therefore, had been nominal rather than real; and upon abstract principles he could not see how it was possible to reconcile an *imperium in imperio* so as to make it consistent with the integrity of colonial self-government. He had been obliged to speak on the present occasion from memory alone; but if a longer notice had been given by the noble Duke of his intention to raise the question, he had no doubt he should have been better prepared to justify every step he had taken in regard to this matter. If the noble Duke at the head of the Colonial Office (the Duke of Buckingham) were to produce the despatch in which he had set forth the terms on which Her Majesty's Government were prepared to sanction the maintenance of troops at the Cape for a certain time, and also the principle on which the reduction was to be made, their

Lordships would be able to judge of the propriety of the course which he had adopted. In conclusion, he sincerely trusted that the noble Duke at the head of the Colonial Office would continue to carry out with firmness the policy indicated in that despatch. At the same time he hoped the noble Duke would carry it out with forbearance, temper, judgment, and discretion. Allowance, of course, must be made for the different positions of different colonies, because an attempt to apply thoroughly and roughly a cast-iron rule in every case would be productive of much mischief. He thought the proposal which he had made was a fair and moderate one, and he trusted that Parliament would have no hesitation in confirming the policy which he had laid down.

Earl GREY agreed with his noble Friend who had just addressed the House (the Earl of Carnarvon) that the question raised by the petition was a very large and important one. He must, however, express his entire dissent from some of the principles which his noble Friend had enunciated respecting the extent to which colonies might demand military assistance. He believed it was during the time that he (Earl Grey) held the seals of the Colonial Department that the first serious attempt was made to diminish the cost of maintaining troops in the colonies. But while he agreed in the principle that the colonies generally ought to contribute largely to the expense of their own defence, he could not admit that this principle ought to be universally and indiscriminately applied. There was a great distinction to be made between different colonies. His noble Friend had referred particularly to the cases of Canada, Australia, and Ceylon; and with regard to these it was undoubtedly most fit and proper that they should contribute largely to their own military expenditure. It was obvious that nothing could be more unjust than to tax the people of this country for the military defence of Australia, where the people enjoyed a complete system of self-government, were highly prosperous, and at the same time almost secured against danger by their geographical position and the absence of any large and warlike savage population. In like manner Ceylon was also a rich and prosperous colony with a Native population easily controlled. But when colonies were placed in immediate contact with savage tribes of a warlike disposition, it appeared to him that they had a strong claim to the protection of the mother country, especially when their having been so placed had been the Act of the Imperial Government. Now he begged to remind their Lordships what were the circumstances of the Cape of Good Hope? In the eastern part of the colony the colonists had been placed by the direct action of the British Government in a most exposed position, and were scattered to such an extent that it was hardly possible for them to unite for their own defence. Land was assigned to them under regulations by which they were dispersed over a wide territory, and encouraged to adopt pastoral farming. Thus their property consisted chiefly of cattle, and a Kaffir could not see a fat ox without earnestly desiring to drive it off as a prize, much like the moss troopers of the Scottish borders 400 years ago. They all knew what the system of the old Dutch colonists was—it was to drive the Natives before them as they occupied the land, and shoot every black man without mercy who attempted to interfere with their doing so. The conscience of this country revolted against such practices, and compelled the Government to interfere for the protection of the Natives. We justly looked upon the system of commandos, as the expeditions against the Natives were called, as utterly barbarous and un-Christian, and though it had been very effectual we put an end to it, and he trusted we should never see it revived. The Kaffirs, too, were a very different people from the degraded Natives on the West Coast of Africa. They were singularly intelligent, and having learned from Europeans the use of firearms, they had become so skilful and daring in desultory warfare as to be most formidable antagonists. In regard to matters of this kind, there were responsibilities which were above any consideration of pounds, shillings, and pence. There was no doubt, as his noble Friend (the Earl of Carnarvon) put it, that if we refused to give the colony military assistance we could not consistently deny them the management of their own affairs, and they must be allowed to deal with the uncivilized tribes within and near their boundaries according to their own discretion. We could only pretend to control them in these matters if we were ready to assist in protecting them. Now representative government was a most excellent thing if the people to be represented were a homogeneous people, and if none of them were excluded from the pale of the Constitution; but all experience taught us that if we allowed representative government, without any check from the mother country, to a colonial population divided into different races—more especially if those races differed in colour—the race which obtained the upper hand would be oppressive. But the oppression of such a race as the Kaffirs would inevitably drive them to bloody acts of vengeance, and experience too clearly proved how, in such circumstances, mutual wrongs were sure to produce a war in which no mercy was shown on either side. No doubt the black race would ultimately be exterminated in such a struggle, and the whites would gain the ascendancy; but while that result was being worked out outrages would be perpetrated and life and property sacrificed to an extent which it would be fearful to contemplate. If their Lordships referred to the case of New Zealand, they would find a most significant warning against the policy which his noble Friend advocated. Soon after New Zealand was colonized quarrels sprang up between the colonists and the Native population, and a war in which we at first met with great disasters broke out with the Natives. The noble Earl opposite (the Earl of Derby), who was at that time Secretary for the Colonies, sent out a very distinguished man (Sir George Grey) to take the Government of the colony, by whose wise and energetic measures the Natives were first defeated and then conciliated. Peace was restored, and a firm and just system of Government was established under which, for the eight years between 1847 and 1855, the most perfect tranquillity reigned in the colony; New Zealand was advancing in wealth, and each day saw an improvement in the condition of the colony, and the Natives and British settlers were in a fair way to become gradually amalgamated, and to form a united and prosperous population. But in an unhappy moment it was thought right by the Ministry of this country not only to establish representative government in New Zealand, but to do this under the form of what is called "responsible Government," which virtually deprived the Crown of the authority necessary for the protection of the Natives from injustice. Within six months after the establishment of that system of government there, disaffection re-appeared and improvement was stopped; the old feuds re-commenced, and the passions of the Natives were roused by seeing those who had recommended the most unjust measures against them put in places of trust and power. In spite of all our declarations about the colonists defending themselves, and about their interests not being ours, as soon as the war broke out the Home Government began to feel that they could not allow British subjects to be murdered and British property to be destroyed, and not fewer than 10,000 British soldiers and a large naval force from this country were employed to put an end to a war in which an enormous amount of property was destroyed. Financially, the result was that this country had paid a pound for every shilling it would have had to pay if the old system had not been changed for one which had been recommended on grounds of economy. Well, in the case more immediately under their Lordships' consideration, if we withdrew our military protection, we must concede responsible government; and when this was done men would come into power who would bid for the support of those who had votes. The blacks were not of that latter class—some of them might have nominal votes, but very few of them had a practical exercise of the right of voting—the whole power would be in the hands of the whites, and the government would be administered with a view to the interests of the whites, and in accordance with their prejudices. Every man knew how strong were the prejudices which existed on either side when the two races were brought into that sort of contact. We might be sure that the Government would be carried on with little regard for the feelings or even the rights of the Native race. But these fierce people would meet injustice with violence — they on their side would be guilty of murder and plunder against the whites, and another Kaffir war would not be long in breaking out; and we should not have a limited population like that of New Zealand to contend with. Fresh and fresh tribes of warlike savages from a large part of Southern Africa would be drawn into the contest. He should further observe that he thought his noble Friend had overrated the cost of our keeping a considerable garrison in the Cape Colony. It should be remembered that we had always to maintain a large military force for the defence of these islands and of our foreign possessions; and there was no other portion of the world in which a strong division of our army could be kept in reserve to meet any emergencies that might arise so advantageously as in that colony. Regarded as a place in which to keep a large force ready to be sent wherever it might be wanted, the advantages of the Cape were very superior. It was singularly healthy, as was shown by the statistical Returns which had come under his observation; the nature of the service required of soldiers formed most useful training—nothing could better fit men for actual warfare; the position of the Cape was such that the men stationed there could be speedily despatched to any places where their services might at any time be required; and, indeed, upon the occasion of the Indian Mutiny the forces sent from the Cape most materially assisted in suppressing the outbreak. So that even if no local interests required the continued presence of troops at the Cape, it was, in his opinion, a place offering most superior advantages for keeping a portion of our army ready to be called on either for our defence at home or for the defence of others of our colonies.

Petition *ordered* to lie on the table.

NAVAL STORES BILL [H.L.]

A Bill for the Protection of Naval Stores—Was *presented* by The Earl of BELMORE; read 1ª. (No. 160.)

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 18, 1867.

MINUTES.] — PUBLIC BILLS — *Ordered* — Life Policies Nomination.*

First Reading—Life Policies Nomination * [201].

Second Reading — Real Estate Charges Act Amendment * [181].

Special Report of Select Committee — Galway Harbour (Composition of Debt) [No. 378.]

Committee—Representation of the People [79] [R.P.]; Local Government Supplemental (No.4)* [191]; Drainage and Improvement of Lands (Ireland) Supplemental * [199]; Railways (Guards' and Passengers' Communication)* [39], debate *adjourned;* West India Bishops and Clergy * [126] [R.P.]; Christ Church Ordinances (Oxford)* [190].

Report—Local Government Supplemental (No. 4)* [191]; Drainage and Improvement of Lands (Ireland) Supplemental * [199]; Galway Harbour (Composition of Debt)* [200]; Christ Church Ordinances (Oxford) * [190].

Considered as amended — Local Government Supplemental (No. 3) * [187].

Third Reading—Bridges (Ireland) * [195]; Tests Abolition (Oxford and Cambridge) [16], debate *adjourned.*

Earl Grey

The House met at Two of the clock.

ARMY—REGIMENTAL COURTS MARTIAL. QUESTION.

COLONEL ANNESLEY said, he wished to ask the Judge Advocate General for some information relative to the forms used for proceedings of Regimental Courts Martial?

MR. MOWBRAY, in reply, said, that the proceedings of regimental courts martial were not under the cognizance of the department of which he had the honour of being the head. Some time ago he offered a suggestion to the Horse Guards to the effect that the proceedings of courts martial would be much simplified by the adoption of printed regulations with reference to the manner in which the examination should be conducted. That printed form had been adopted in the case of general courts martial, but with respect to regimental courts martial he had received the following answer:—

> "The proceedings of regimental courts martial are kept in a particular kind of book, made with screw back; they are written on paper specially adapted for these books, and as they are carried about with the regiment it is of great consequence that they should occupy as little space as possible. If the printed forms were used the bulk of the documents would be considerably increased, and this increase would prove a great inconvenience in moving from one station to another. This is of little moment in the case of district or general courts martial, where the documents are kept permanently in an office; but in a regiment, which is constantly moving, it would prove highly inconvenient and expensive to increase the amount of baggage to be carried."

He hoped the feeling of the House would be that this was one of those matters of minute regulation which might fairly be left to the judgment of the authorities at the Horse Guards.

THE CATTLE PLAGUE.—QUESTION.

SIR GEORGE STUCLEY said, he wished to ask the Vice President of the Council, Whether he is aware that in many instances farmers are obliged to make a journey of thirty miles to and from the nearest magistrates in order to get a Cattle Pass; and, whether he will at once relieve them from this inconvenience?

LORD ROBERT MONTAGU said, he was aware that inconvenience would arise in many parts of the country from the necessary restrictions. There was, however, waiting a second reading a Bill which would make the restrictions local and self-acting, and if it was passed the Privy Council hoped to be able to make an order that would remove much of the inconvenience.

THE BIRMINGHAM RIOTS.—QUESTION.

MR. MONSELL said, he would beg to ask the Secretary of State for the Home department, Whether he has received any official Report with regard to the riots alleged to have taken place at Birmingham; whether those riots have yet been repressed; and, whether the Government have taken any steps to prevent the recurrence of these riots?

MR. GATHORNE HARDY: Sir, as my right hon. Friend only gave me notice of this Question a few minutes ago, I have not been able to furnish myself with detailed information. I can state, however, that I have received a letter from the Mayor of Birmingham stating that he had received additional military aid from Coventry and also, I think he says, from Weedon, that the authorities had also called out thirty pensioners, and that at the time he wrote everything was perfectly quiet. I do not therefore know that it will be necessary that the Government should interfere further.

CAPTAIN VIVIAN: May I ask when that letter arrived?

MR. GATHORNE HARDY: I cannot say, but it was at the Home Office when I arrived there this morning.

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask, Whether the House was to understand that the Chancellor of the Exchequer postponed the Irish Reform Bill till next Session?

THE CHANCELLOR OF THE EXCHEQUER: I wish it to be understood that the Government do not intend to proceed with the Irish Reform Bill this Session.

THE BOUNDARY COMMISSIONERS. QUESTION.

MR. W. E. FORSTER: When shall we have the Clause appointing the Boundary Commissioners?

THE CHANCELLOR OF THE EXCHEQUER: I wish to give the names of the Boundary Commissioners at the same time that I put the clause upon the table. It is not in my power to give the names now, but I hope to be able to do so in the course of the morning, and in that case I shall put the clause upon the table.

THE REGISTRATION CLAUSES. QUESTION.

MR. LIDDELL said, he would beg to ask when the Registration Clauses will be forthcoming?

THE CHANCELLOR OF THE EXCHEQUER: I find that it will not be necessary to put any new Registration Clauses in the Bill.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 17.]

Bill *considered* in Committee.

(In the Committee.)

Clause 15 (University of London to Return One Member).

Amendment again proposed, after the word "the," to insert the word "Universities."—(*Mr. Chancellor of the Exchequer.*)

MR. LOWE: Last night I made an appeal to the Chancellor of the Exchequer to give a little time for the consideration of this question, which has come so suddenly upon the London University. The appeal, I am sorrry to say, was unsuccessful. Since then I have presented a petition not signed, as I wish it had been, by the Senate or by Convocation—for time did not permit of that—but signed by Mr. Grote, the Vice Chancellor, and by the Chairman of Committees of Convocation—a Gentleman who may be considered to represent Convocation when it is not sitting—setting forth arguments against the proposal of the Government to unite these two Universities in one electoral body, and stating that there has not been time since this matter was first proposed by the Government to take the sense either of the Senate or of Convocation on the subject. To that I may add, from my own knowledge, that the Senate will meet to-morrow to consider this question, that a requisition has been presented for a meeting of Convocation which will be held in a few days, and that there is no doubt that the feelings of both those bodies are very much against the proposal of the Government. Under these circumstances, I wish I could persuade myself that there was the least use in renewing the appeal to the Government to give the University an opportunity of being heard before the change takes place. The Chancellor of the Exchequer told us last night that the University of London has had dangling before its eyes for many years the prospect of Parliamentary representation. If it has not obtained this representation, it has not arisen from the unwillingness of any Government to concede it, but because the Reform Bills in which their recommendations have been embodied have never become law. But observe the natural inference from that. The natural inference is that when the present Government included a similar proposal in its Bill the University of London considered itself safe, and, believing that the Government would fulfil their understanding, was lulled into a false security, took no measures to stimulate the Government or express its opinion, and showed a trust and confidence which now appear to have been very ill bestowed. It has therefore been rather confining itself to try and find out who is the Member who should represent it in the representation which it made sure it would have, than to assure that representation. For these reasons it is only equitable and reasonable to ask the Government even now, after they have carried the first word of the Amendment, to pause and allow the University to be heard before they deprive it of the privilege and honour which it has for some time considered virtually its own. I cannot say that I make the appeal with confidence. Perhaps, after the rather scornful way in which I was met last night, when my appeal was treated with badinage and ridicule, I am not consulting the dignity of the University — I do not care about my own—in now renewing the appeal. On such an occasion I must not be particular. I think the right hon. Gentleman would have done well to remember that, though it is easy to get up a laugh, these are matters of serious moment, deeply touching the interests and feelings of men as intelligent and as able to form opinions on public affairs as the best of us. I cannot part from the subject without adding one or two words to correct what was said last. We heard much of the improvements in Durham, which, it was said, had quite changed the state of things there. When were those improvements made? In October, 1865. Magical indeed must have been their effect if in the short time which has since elapsed they have reversed a state of things which everybody spoke of as miserable and distressing into efficiency and prosperity. Against these improvements I am the last to speak, for they were chiefly made in consequence of the Report of the University Commission, but it is impossible that they can have already had the effect attributed to them. No one has been more urgent than the right hon. Gentleman in impressing upon us that every Member should represent a homogeneous constituency. If one might venture to judge of a mind so versatile and capable of embracing so many aims and feelings, that is the object in all this question of Reform which appears to lie nearest to his heart. He is always telling us of the necessity of drawing a sharp line of division between towns and counties, and he wishes to arm with more than Imperial authority certain Boundary Commissioners in order to carry out this principle to its fullest extent. Apply the principle here. The right hon. Gentleman is about to group these two Universities. The only defence of grouping is that the communities thus joined are much the same, that they are in the same neighbourhood, have the same feelings and the same ideas, and that being divided only by a small space they may without much inconvenience be regarded as the same community. Is that the case with Universities? A University is the most complicated of immaterial things. It has an artificial origin, it has a head and members, and it is a being created, organized, and worked out by the law. *Totus, teres atque rotundus.* To unite two of these beings together, each having a complete organization of its own, would be a strange and wonderful union, different indeed from the union of a number of inhabitants who may happen to live in different towns and villages without any organization at all. But the case goes much further. These two Universities are as distinct from each other as possible. Durham is local and provincial; London is metropolitan and cosmopolitan, extending its influence more and more every day all over the world. The University of Durham has its origin in religious feeling, is intended for the purpose of religious instruction, and is under the auspices of a Dean and Chapter—an ecclesiastical body. The University of London in its domain is as free as the boundless range of intellect itself. It confines its Members to no particular study, but extends its aid to any subject which may be fitly studied by youth. The one University is ecclesiastical, the other pre-eminently and entirely secular. You are about to unite these two bodies. What must be the effect of that? It must be that the man who is a fit representative for the one is an unfit representative for the other. You cannot have any human being so plastic, so various—I had almost said so double-faced and hypocritical—as to give satisfaction to these two bodies, both perhaps excellent and admirable—I will say nothing of that—but formed with different ends, upon different principles, and for different purposes. Durham may, and I dare say will, do good as a College. A University it ought never to have been. It is too narrow for a University. The making of a College into a University means that you trust to those who teach the function of examining the people whom they teach. The result is that they are naturally too lenient examiners. They are testing their own work, which ought to be tested by other people. That is the difficulty and defect in Durham which, in my opinion, will militate against its success as a University. The University of London, being free from any such trammels, being nothing but an examining and directing body, and having no functions for instruction, is able to do for Colleges and for places of instruction all over the world that which it is impossible they can do for themselves. The University of Durham will, I doubt not, continue to run its limited, unambitious, and humble career of usefulness in teaching, but it can never be a great tester of the teaching of others. I put it, therefore, to the right hon. Gentleman whether he will insist on welding two most opposite bodies into one constituency. What will be the effect if he does? It will be that if the University of Durham appoint the Member, he will be an unfit and unsatisfactory representative for the University of London. If the University of London appoint the Member he will be an unfit and unsatisfactory representative for the University of Durham. That will not be a satisfactory state of things. I say, then—though I have no authority to make the statement—that the boon which it is proposed to confer will hardly be considered a boon, and that this, like other things we have heard of, will be only the beginning of jealousies, heartburnings, and attempts to get rid of the connection. If my application to the right hon. Gentleman fails, as I suppose it will, I should be disposed to make a Motion to postpone the clause; but that, I believe, I cannot do, as an Amendment has been made in it already. I hope the right hon. Gentleman will give an answer to my appeal, will consider the just, moderate, and reasonable claim we make, and forbear to join in this unholy wedlock those whom every motive of policy and wisdom should keep asunder.

SIR MATTHEW RIDLEY said, he would not have risen to take part in the discussion, were it not for the somewhat invidious comparison which had been made as to the efficiency of the two Universities. The right hon. Gentleman had made use of the word "homogeneous," and proceeded to argue that the entire dissimilarity of the two bodies ought for ever to keep them asunder. That dissimilarity was not what the Committee might be led to infer from the observations of the right hon. Gentleman. There were no tests required for admission to the privileges of the University of Durham, and no forms to be undergone which were objected to by students. The right hon. Gentleman had spoken of the number of graduates, but it was not right to make the point of numbers an element in the consideration. It should be borne in mind that the University of London offered no education. It only conferred degrees, perhaps upon a high standard. The sufficiency of the standard he did not dispute. But it merited consideration that it had no system of domestic education and discipline, no curriculum of instruction. It must be in the nature of things that a University like that of Durham, which had these things, and which was nearly of the same age as that of London, must take a longer time in making way and increasing the number of its graduates in the district with which it was more immediately connected. The right hon. Gentleman had made an appeal in favour of the London University on the ground of its cosmopolitan character. But he would ask the Committee whether an institution in a district teeming with population and embracing within it the most important interests, was not quite as much for the advancement of the commonweal, and quite as proper for consideration at the hands of Parliament. The University of Durham had, under the present arrangements, the means of educating students at a much less cost than could be done by Oxford or Cambridge. £80 or £85 was the limit of the expense that need to be incurred. The right hon. Gentleman had remarked that the examiners at the Durham University and the teachers were the same, and that thus no test was applied to the education given in the schools. What were the facts? Examiners were brought down from Cambridge or Oxford to test the students at the taking of degrees. [Mr. LOWE: Hear, hear!] It was not to be supposed that those gentlemen would adopt an insufficient standard. Therefore the test of merit in those examined was as good in the one case as in the other. It was hardly consistent with the position of the University of London in its cosmopolitan character to maintain that a conjunction with the University of Durham would militate against its privileges. In the debate of last night the hon. Member for Honiton (Mr. Goldsmid) objected to the grouping of the two Universities on the ground of distance. But Glasgow was not situate close to Aberdeen nor Edinburgh to St. Andrews. Railways now annihilated space. If the proposal to employ voting papers, which were now in use in the Universities of Oxford and Cambridge, and which was contained in the Bill, was adopted, the question of neighbourhood ought to form no element in the consideration of the question. In 1858, the Durham University originated a system of middle-class examinations, approaching the system which was now so much lauded and advocated in connection with the other Universities as of the greatest possible advantage to the public interest. The hon. Member for Honiton had spoken last night of the distinguished men who had proceeded from the medical school of the London University. He seemed not to be aware that there was an excellent medical and surgical school in Newcastle-on-Tyne, which was in connection with the University of Durham. No district in England gave more scope for the ability of men of eminent medical and surgical attainments than the part of England where collieries abounded, which was inhabited by so dense a population. The hon. Member had said that the University of Durham was not growing, and that the standard was not kept up. The hon. Gentleman was not correct in that assertion. The medical examination at Durham University was at this moment working in the most advantageous and successful manner. Why, under these circumstances, should a slur be cast upon the University of Durham, and why were its claims to be disregarded, when in its own time and way it was doing infinitely more in promoting education by really teaching students than could be done by a body which simply conferred degrees, however high its standard? Within the last thirty years the population of Northumberland and Durham had increased about 64 per cent. The district contained many employers of labour, who were deterred from sending their sons to Oxford or Cambridge by reason of the length of time and the expense it involved, whereas at Durham University as high a standard could be reached in less time and at less expense. He hoped these considerations would weigh with the Committee, and that Durham would not be excluded from the Parliamentary privileges which were enjoyed by other Universities.

MR. BRIGHT: I think the Committee, during the speech of the hon. Baronet, has come to the conclusion that, with all the interesting facts he has laid before us, it was not a speech in favour of the union of the University of Durham with the University of London. If the speech had any value at all — and I am not about to contest that point—its value consisted in showing that the University of Durham ought to be represented in this House. I see the hon. Baronet is willing to admit what I say is true. He sees that which is nearest to him when at home, and the University of Durham looks to him a very grand institution. [Sir MATTHEW RIDLEY: I desire its representation in conjunction with the London University, as proposed.] I shall not say a word to depreciate the University of Durham. But the speech of the hon. Baronet has nothing to do with the proposal before the Committee. The University of Durham may be all that he says it is. At the same time, it may be a very unwise thing, both with regard to the past promises of the Government and the just claims of the University of London, that the two Universities should be united in sending one Member to this House. The University of London is an institution which was needed, and created for purposes somewhat peculiar. It was founded to enable persons to take advantage of a high University education, who from a variety of reasons were not able to avail themselves of the benefits offered to other persons by the Universities of Oxford and Cambridge. The University of London has none of that grand antiquity which attaches to the two ancient Universities, nor has it the great endowments they have. But it stands before the country having done up to this time, and doing still, a great work. The

House on all occasions, when this proposal of enfranchising the London University has been before us, has met it without objection, and generally with approval. The object of the House and of successive Governments in making this proposal has been to give the University of London a certain position in the nation—to elevate its status—and to place it more nearly on a par in public estimation with the ancient Universities of Oxford and Cambridge. I am not in favour of the representation of Universities. The representation of the ancient Universities of Oxford and Cambridge was created in times about the worst in our history. The Members they have sent to this House, learned as some of them have been, and amiable as many of them have been, have not been representatives such as it would be wise—I speak of their political views—for the House of Commons to follow. I am glad to see that that view is cordially accepted. ["No!"] I am quite sure hon. Gentlemen opposite will not say they are now walking in the footsteps of any previous representative of Oxford. I therefore say I am not in favour of the representation of Universities. If I had had the making of a Reform Bill for introduction to this House, I should have done violence to my own views with regard to the subject, and should have condescended to the weakness, or it may be the greater wisdom of the House, if I had proposed to give a representative to the University of London. At the same time, seeing that other Universities have representatives in this House, I think that is a strong argument in its favour. Therefore I shall be willing to vote for conferring a representative on the University of London. But what can be more preposterous than the proposal of the Chancellor of the Exchequer? He himself can hardly regard it with gravity. It was obvious yesterday that the Gentlemen on the Treasury Bench did not wish to have a division. If some Gentlemen who always liked going into the lobby better than remaining in the House had not called for a division, I have no doubt that the Chancellor of the Exchequer would have accepted the proposal of the hon. Member for Honiton (Mr. Goldsmid), and that the London University would have had its Member assured to it without this discussion. The right hon. Member for Calne (Mr. Lowe) stated, in the most forcible and convincing language, many of the objections to this scheme. I should like to see what sort of electioneering campaign would be carried on by these two Universities. I know the Dean of Durham is a most admirable, accomplished, and liberal man. When I was a candidate for Durham in 1843, and was returned for that city, I had the satisfaction of having the support of the Dean of Durham. Some other dignitaries of the Cathedral—three I believe—were among my supporters. I shall therefore say nothing against them—it would be untrue if I did so. It would be most impertinent in me to reflect upon them in any way. But if a committee were formed to conduct an election for those joint Universities what a puzzle the Committee would be in. I saw an account this week in the newspapers of a committee formed in connection with the University of London. A discussion arose as to whether the candidate should be a Liberal-Conservative or a Conservative-Liberal. I have no doubt there is, and will be, the greatest possible difficulty in determining whether he shall be a Radical of the ancient type sitting on this Bench, or whether he shall be a Radical of the modern type sitting behind the Chancellor of the Exchequer. There can be doubt that the candidate who would be selected in Durham would be wholly different in his political views from the candidate selected by the University of London. If the University of London had a large majority, the result would be that the University of Durham would be practically and permanently disfranchised. If there was a minority in the London University, that would conspire—I do not mean it in an unpleasant sense—but that would unite in action with the solid body of the University of Durham, then the great majority of the University of London might be disfranchised. It would have been as rational for the Chancellor of the Exchequer to propose that the University of Edinburgh, with its high Protestant feeling, should be associated with the College of Maynooth, as that the University of Durham should be associated in political representation with the University of London. I do not know a man among my acquaintances, political or otherwise, who would be likely to offer himself with a fair face to those two Universities, unless it be the right hon. Gentleman who has made this proposal to the House. I am not strenuously arguing for the representation of Universities. I disapprove of it. At the same time the House is in favour of it. The House has conceded, or is willing to concede it to the Scotch Universities, as I think, in great excess. It is willing to concede it to the University of London, and has been so since 1854. The House has made a promise so specific that not one in the University, or even in the City of London, has doubted for a moment that the original proposal of the Government would be accepted without contest or division. But at the last moment, the right hon. Gentleman, for reasons behind the screen, which we cannot fathom, has made a proposal the most unwise and least to be defended of all the proposals he has submitted to the House during the Session. I say, give to the University of London what you have promised, and what you say it has claim to. Give it fairly and in such a manner as that it will be clearly understood where the power rests. Do not, for purposes, apparently, of party, add to the University of London another body which you think will thwart the general objects of that body. Deal with the University of London in a frank manner as with men of, perhaps, the highest intelligence and cultivation in this country. Then, in all probability, you will have some man returned who will be worthy of his constituents, and worthy of taking part in the deliberations of this House. The right hon. Gentleman the Chancellor of the Exchequer has exhorted us in almost pathetic tones to banish party. Well, let us banish party. I have had no party feeling in this matter during this Session. I feel as sure as I am standing here and speaking to the Committee, that there is not one man in ten in this House who believes on pure public grounds that it would be a judicious arrangement to unite these two Universities in one representation. The right hon. Gentleman will, I believe, be just as much obliged to you if you give him leave to make this change as he has been deeply obliged to you for your liberality on many previous occasions.

Mr. LIDDELL said, he had always thought that the great basis of the argument for increased representation was that they ought to give representation in proportion to the increase of public intelligence. It seemed, therefore, anything but consistent to deny representation to the most intelligent bodies in this country. Surely the hon. Member for Birmingham (Mr. Bright) did not wish the House to believe that he was afraid of bringing intelligence into that House. If so, the hon. Gentleman seemed open to the charge of political insincerity [Mr. Bright: I would give the members votes.] The right hon. Gentleman (Mr. Lowe) began his argument by making an *ad misericordiam* appeal to that House, and said that they ought to respect the feelings of the learned and intelligent persons connected with the University of London. He adopted the right hon. Gentleman's argument. Though the body whose claims he (Mr. Liddell) advocated was small, they were as much entitled to have their feelings respected and to avoid the stigma and odium of being the only unrepresented University, as the larger body which the right hon. Gentleman represented. The right hon. Gentleman forbade the banns between London and Durham because, he said, there was an incongruity of character in the persons to be united, and he admitted that the objection was better raised before, than after marriage, but was this true? A sound theological education was no doubt bestowed at Durham. But it had also the freest and most liberal constitution of any of our Universities. There was not one of the endowments that was not thrown open without distinction of class or religion, with the exception of one small scholarship. To object to unite two bodies on the ground of difference of opinion in the constituencies would be to disfranchise half the county constituencies. Could any one represent a greater diversity of opinion and interest than the right hon. Gentleman the Member for South Lancashire? The effect of representing such a diversity of interest made a man more liberal, enlarged his mind, and made him fit for the great work of Imperial legislation. They were told that the University of London was distinguished by its cosmopolitan views. If so, a little fixity of tone might be usefully engrafted upon it. What possible harm would it be to the University of London to allow a small body like Durham to be affiliated to it. If the London University were superior in some respects the effect would be to improve the smaller body. If the effect of the union were to introduce sound religious feeling into the larger body the advantage would be mutual. The House had sanctioned the principle of affiliation for representative purposes in the case of the Scotch Universities. The onus now rested on the other side to show what possible harm would result from the proposed union. Until that was done he hoped the Committee would record its sanction to the proposal of the Government.

Mr. OSBORNE: I shall not be suspected, at least on this occasion, of expressing any party feeling on this subject. Hitherto I have never voted on this enormous question, which has suddenly assumed such tremendous proportions. I share the opinion of my hon. Friend the Member for Birmingham, that we are already overstocked with University Members. I do not see that there is any good in giving Members to Universities. Should we have had this Bill if it had depended on the votes of the Members for the Universities? I have as little love for the University of London as for that of Durham. I congratulate the hon. Member for Northumberland, and especially the hon. Member for Durham, who appears to be the author of this little project, and who has poured his venomous distilment into the ears of the Chancellor of the Exchequer—I congratulate them upon having achieved one thing. They have let the world know that there is such an institution as the University of Durham. I was ignorant that there was a University of Durham; so I believe were the great body of my fellow-countrymen. They connect Durham with "short-horns," not with scholars. At all events, Durham University has had a capital advertisement in these debates. We have heard a great statistical maiden speech from the Member for Northumberland; but the question is whether the University of London is content to be yoked with Durham. What is the University of Durham? Its influence is insignificant, and the University of London will ride over it in every instance. The Reform Bill, whenever it is re-printed, and whatever good there may be in it, appears ridiculous enough in many instances. What are we about to do? The vengeance, I may say, of that terrible Neptune, the hon. Member for Durham, is about to create a hybrid constituency—

"Semibovemque virum, semivirumque bovem."

It would be neither one thing nor the other. The Chancellor of the Exchequer in his secret heart, though incumbered by the prejudices of hon. Members behind him, which he is slowly shaking off, will say if we negative this Motion, that the secret inclinations of the Government have thereby been gratified. There is a middle course. Why is it necessary to bestow this Member on these two Universities that are already beginning to quarrel with each other? There appears to be an incompatibility of temper that ought to prevent this union. Instead of filling up the clause with the word "University" at all, I would suggest that the word "Liverpool" be substituted, and thus give an additional Member to that great commercial community. We have heard much of the increase of the counties of Durham and Northumberland. But the increase of Liverpool in population and rental would throw Durham and Northumberland into the shade. In ten years the population of Liverpool has enormously increased, while the rental has increased by £1,250,000. Yet there it is with two miserable Members. [*Laughter.*] I do not mean miserable Member in that sense, because there are not two more efficient Members in the House than the Members for Liverpool. What sort of a Member are we likely to get from these Universities? Heaven knows what kind of a creation will come out of this maladroitly-formed constituency. I would therefore suggest that the words "town of Liverpool" be inserted instead of "University." The rental of that town is upwards of £2,500,000. The population is nearly 500,000. I call on all good Radical Reformers to come to the relief of the Chancellor of the Exchequer, who is at present bound, like Prometheus, by the insidious Member for Durham, or rather he is like Captain Macheath with the "Polly" of Durham University on one side, and the "Lucy" of London University on the other. Let us come to his assistance. No doubt he would say with that great hero—

"Since you both tease me together,
To neither a word will I say."

I beg to move that the word "Liverpool" be inserted.

The CHANCELLOR of the EXCHEQUER: The right hon. Gentleman the Member for Calne stated that we had not treated the University of London with sufficient consideration. Having from this Bench proposed, at different periods, that that University should be represented in Parliament, it is scarcely necessary to vindicate myself from that charge. It was not "the grand antiquity" of that institution—to adopt the phrase of the hon. Member for Birmingham—nor its great endowments which induced me to take that course. I am of opinion that it would be well that the University should be represented in Parliament, because it would give us a constituency of learned and enlightened men. I am favourable to an intellectual element being introduced into this House purposely and professedly as such. We should not in all cases be merely the representatives of material interests. I think therefore the right hon. Gentleman has no foundation for the charge he made against me. When I first submitted this question to the consideration of the House, I gave the House to understand that Her Majesty's Government would be very much influenced by their feeling on the subject. I have not obtruded myself therefore upon the Committee in this debate, but have listened with interest and patience to all that has been said. It is clear that our proposal is favoured by the Committee. The divisions taken upon it show that. I am not surprised at the conclusion arrived at after discussion. The whole argument of the right hon. Gentleman the Member for Calne to-day and yesterday is an argument of prejudice. He commences by associating one of these rival institutions with qualities which, in his estimation, are of an exceptional character, and on that assumption he argues that it would be most unwise to unite the two together. We have no evidence that there is any foundation for the charges he makes against Durham University. As far as we can form an opinion, the University of Durham is a University now distinguished by the learning of its professors and the high character of its students. With regard to the imputation cast upon it of narrowness of religious feeling, there is no foundation whatever for it. There are few institutions of a similar character more free from such a charge. If that be the case—if the University of Durham, instead of being the mean and useless institution which the right hon. Gentleman the Member for Calne pictured, be really a learned institution in the portion of the kingdom much wanting the inspiring presence of a University—if it has during the last few years greatly advanced and already possesses not a numerous but a respectable body of graduates fit to form a constituency, we have to ask ourselves what is the reason why it should not be joined in respect to Parliamentary privileges with the University of London? The University of London itself cannot furnish a very large constituent body. The right hon. Gentleman commenced his observations this afternoon by correcting a statement I heard with some surprise yesterday as to the number of that constituency, and informed us that it was of more moderate dimensions. I confess that in considering the policy of giving the London University representation in this House, my opinion would not be much influenced by the exact amount of the constituency. I look at the principles on which the institution is founded, the progress it has made, and the future which I hope is before it. These are the considerations that would influence me. They influence me also with respect to the University of Durham. If the principle be admitted that Universities may be united for purposes of representation, though at a distance from each other—and that principle seems to be admitted in regard to the Scotch Universities—I am at a loss to understand why it should not be extended to the Universities of London and Durham. We are told that the great reason why that union should not take place is because London University is a "cosmopolitan" institution. I am unable to cope with an argument consisting of an epithet of which it is difficult to form a precise idea. We know that there are in London certain "cosmopolitan" institutions; and being in some degree responsible for the proposal to give Parliamentary representation to the London University, it might rather alarm me to hear that institution characterized as cosmopolitan. I do not see in what respect it materially varies from the University of Durham. Each of those Universities has a distinctive character. But I do not see that any argument against their union can rest on that foundation. Distinctive character gives variety to a constituency, and is rather an advantage than otherwise. But if these Universities have a distinctive character, they have a common aim. They are both learned institutions. They are designed to bring up young men with the common aims which a high education naturally induces. Variety of character in a learned constituency should be regarded as an advantage rather than otherwise. What is the character of the constituency of London University? It is itself composed of most dissimilar elements. Its graduates come from educational institutions in various parts of the kingdom. A Roman Catholic College in Durham already sends its pupils to graduate at the London University, where, if this Bill passes, they will become University electors, and be represented as such in Parliament. When, therefore, the religious prejudice is attempted to be raised against this proposal—when we are told that London University is a "cosmopolitan" institution, and that there is danger

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from its being connected with the University of Durham, because the latter is an ecclesiastical institution, it seems to be hard on the graduates of Durham University that they should be deprived of the advantages to be enjoyed by the pupils from Ushaw. The cosmopolitan argument has in reality no force. The hon. Member for Birmingham spoke in an impressive manner, and one that is always interesting; but all I could gather from his speech in the shape of material objection to the proposal before us is that there would be endless squabbles when election time came, and endless difficulties in the way of candidates who had to appeal to the franchises of the Universities of Durham and London. In order to illustrate this position, on which he founded his conclusion that their union would be most objectionable, the hon. Member, with extraordinary inconsistency, gave us a detail of the manner in which at the present moment a canvass is conducted in the University of London. Nothing, according to the hon. Member for Birmingham, can be more absurd than the mode in which a canvass for the representation of London University is going on. How much more ridiculous, he says, it would be if the candidates had to solicit the suffrages of Durham University as well! I do not see that these discussions have established one solid argument against our proposal. All the objections taken to it appear to be animated merely by prejudice. If the University of London has hoped that it would enjoy the sole privilege of being represented in this House, it may remember that its existence is so novel that it ought not to be too curious and too critical as to the conditions on which it is offered this privilege. There are many claimants for this honour. For a considerable period there have been praiseworthy attempts made to obtain representation for that and other learned bodies. I do not think it is for public men to found the whole argument against the admission of Durham on a most invidious description of the respective characters and qualities of the two Universities. I hope the Committee will take a liberal view of the question, that they will bear in mind that the University of Durham is probably destined to exercise a considerable and a beneficial influence on the population of the Northern part of the kingdom, and that the opportunity may not again present itself in our generation of conferring on that learned body the privilege of being represented in this House. By adopting the proposal of the Government, we shall be giving weight to this institution, we shall be contributing to extend its influence and be coming to a resolution which will be advantageous to the country.

Sir GEORGE BOWYER said, that if the University of Durham were an institution of an exclusive character, he should object to allowing it to participate in the enjoyment of the electoral franchise. He understood, however, that it admitted Dissenters and Roman Catholics, as well as members of the Church of England, to share its distinctions. If the proposal to allow it to have a voice in returning a Member to that House were rejected, it would, in the event of a Member being given to the University of London, be the only University in the kingdom which would be unrepresented, inasmuch as the Universities of Scotland were about to be grouped. He did not think it right that it should be left in that anomalous position, and he should under those circumstances vote in favour of the proposal of the Government.

Mr. CARDWELL said, that the Chancellor of the Exchequer seemed to think that those who advocated the cause of the London University rested their case on an invidious comparison between it and the University of Durham, and had thereby prejudiced their own argument. His right hon. Friend the Member for Calne, who was, as well as himself, a member of the Senate of the London University, having stated his experience in his capacity as a Commissioner, appointed to inquire into the University of Durham, had been answered by hon. Members who represented that part of the country, who informed the Committee that the advice given by his right hon. Friend had been taken by the University, and that the abuses he had pointed out no longer existed. He had no wish in the smallest degree to disparage the University of Durham, or to maintain that it did not perform in the most admirable manner the duties it was designed to discharge. But those duties were entirely different from the duties which the London University so successfully fulfilled. The Durham University was founded on the principles of the ancient Universities, with the view that it might furnish a more economical and convenient means of giving a similar education, and the examiners were chosen from the ancient Universities.

[Sir Matthew Ridley: Not all.] The London University was established for the express purpose of giving a broad academic education to those who were excluded from the ancient Universities. His hon. and learned Friend the Member for Dundalk (Sir George Bowyer) was under a complete delusion if he supposed that the University of Durham, like that of London, was open to the members of all religious persuasions. If the Committee were to grant to that University the privilege of voting for a candidate to represent it in Parliament, that privilege would be confined exclusively to the members of the Church. The Chancellor of the Exchequer declared himself to be in favour of conferring representation on an intellectual community; but was it not desirable that when a Member was returned by such a community, the principles which he was likely to advocate, and the general sentiments of his constituents, should be capable of being clearly indicated? What sort of a representative must he be who could not speak on behalf of that which was universal, as in the case of the University of London, nor of that which was confined to the Church of England, as in the case of the Durham University, but who would be, as it were, the result of the accident which of those two sets of opinions happened to command the most numerous adherence at the time? The Chancellor of the Exchequer seemed somewhat alarmed at the use of the word "cosmopolitan" in the argument of his right hon. Friend; but whether he meant what he said on that point as a joke or as a serious observation was open to doubt. What his right hon. Friend meant by the use of the word "cosmopolitan" was that the London University, while maintaining a high standard of examination, admitted to that examination men from all parts of Her Majesty's dominions. Learned men from Calcutta or Australia might come there, obtain their degree, and thus become members of that which his right hon. Friend had justly characterized as a cosmopolitan University. The Chancellor of the Exchequer seemed to think that the members of the London University were by themselves not sufficiently numerous to form a constituency. They already, however, numbered 2,000, and if that number, produced in a period of twenty years, were compared with the constituency of the University of Oxford, it would be seen that it furnished a remarkable instance of success which was every year growing greater. Entertaining the views which he now did as to the insufficiency of its numbers, how was it that the Chancellor of the Exchequer had proposed to give a Member to the University of London in 1859, and that during the eight years since elapsed he had never shown himself to be so conscious of the merits of the University of Durham as to propose that it should be admitted into partnership with the former. It appeared that it was owing to some sudden inspiration during the Whitsuntide holydays that the new light had dawned upon him, and that he was induced to make a proposal supported by no solid argument. The right hon. Gentleman went on to advert to the case of the Scotch Universities; but it was quite a different thing to unite institutions which, though distant in space, were for the most part identical in sentiment, and to make a similar proposal with regard to institutions which were founded on entirely different principles. He trusted, therefore, that the proposal made by the Government would be rejected by the Committee.

Mr. MOWBRAY said, he wished to remark, in reply to what had fallen from the last speaker, that in the Durham University no religious test was exacted on entrance or taking the degree of Bachelor or Master of Arts or the degree in medicine, only from those about to take Orders.

Mr. CARDWELL said, that he had the highest authority for stating that the members of the Convocation of the University of Durham must be members of the Church of England.

Mr. BUTLER-JOHNSTONE said, he could not anticipate a favourable result from joining two incongruous bodies of different characters. He thought that any Member returned who might please the University of London would be disagreeable to that of Durham.

Question put, "That the word 'Universities' be there inserted."

The Committee *divided*:—Ayes 226; Noes 225: Majority 1.

The CHANCELLOR of the EXCHEQUER said, he had now to propose to insert after "London" the words "and Durham."

Amendment proposed, in line 1, after the word "London," to insert the words "and Durham."—(*Mr. Chancellor of the Exchequer.*)

MR. TREVELYAN said, he had an Amendment to move which took precedence of the right hon. Gentleman's. The proposal of the Chancellor of the Exchequer had mainly been supported by North-country Members, who had done much to swell the majority, though he, as a North-country Member, had, in spite of local pressure, voted for keeping London and Durham distinct. It was evident that the members of London University had a great objection to being joined with Durham University. This arose probably merely from an instinctive feeling that they had very little in common. If these two Universities were forced into conjunction, a fitting representative would not be forthcoming. He would be some neutral-tinted, colourless nobody, who would represent nothing but a compromise between two rival and hostile bodies. Oxford and Cambridge were not so narrow-minded, and were willing, he thought, to have St. Bee's and all the other Church of England Colleges united with them. There was evidently much more sympathy between Oxford and Durham than between London and Durham. He, as a Cambridge man, would therefore move in line 1 to omit "London" in order to insert the words "Oxford and Durham," so as to make Oxford and Durham one constituent body.

SIR GEORGE BOWYER said, he believed he was now in order in suggesting that all graduates of Durham University should have the franchise. This, he thought, would remove all difficulty.

MR. MOWBRAY said, he apprehended there would be no objection to electoral privileges being extended to graduates of Durham of a certain standing. The University was open to all comers without any test, and degrees could be taken in all subjects—except in theology—by students of all persuasions. At present an M.A. was obliged before he could become a member of Convocation, to declare himself a *bonâ fide* member of the Church of England. But although he could not pledge Convocation, and was only prepared to make a general statement, he might say that for years past every change had been in a liberal direction, and he believed it was in contemplation by the authorities to get rid of that restriction. He believed he could state with confidence that if Parliament extended electoral privileges to all graduates the test respecting Convocation to members of the Church of England would be removed, and with it the only objection to this proposal. As regarded the question of introducing a clause, there would be no difficulty in acceding to the suggestion of the hon. and learned Gentleman, and enabling all graduates of a certain standing to vote for the University.

MR. GLADSTONE: The important announcement just made on the part of Her Majesty's Government appears to me to call for a remark. The right hon. Gentleman assures us that if the House will enfranchise the University of Durham, the Convocation and authorities of that University will alter its constitution, and will admit persons not belonging to the Church of England to be members of Convocation. I want to know how the right hon. Gentleman can possibly have been authorized or empowered by the Convocation of the University to give that assurance?

MR. MOWBRAY: I said it was in contemplation by the authorities. I said, also, that it was impossible for me to pledge Convocation; but that from the nature of the changes already sanctioned, and from those changes having been in one direction, I expressed my belief that it would be done.

MR. GLADSTONE: It appears to me that the right hon. Gentleman does not relieve himself from the dilemma. He says it is in contemplation on the part of the authorities. Who are "the authorities?" It is either a pledge on behalf of the University, which the right hon. Gentleman is evidently not authorized to give, or it is a mere expression of opinion, based on his communications with some one or more of its members. Of course, if it be the mere expression of such an opinion he is perfectly justified in conveying it to the Committee; but nobody can be so weak as to take it for more than it is worth. What, however, I think more important is the singular and highly-inconvenient innovation, if I understand it aright, to which at a moment's notice, and under the pressure of the recent division, Her Majesty's Government appear to be ready to accede with regard to the basis of the University franchise. Is there to be one basis for Durham and another for all the other Universities of the country? That seems to follow from the announcement of the right hon. Gentleman. He says that all persons who take a M.A. degree, which would enable them ordinarily to enter the governing body, shall be qualified to vote for a Parliamentary representative. Are they also to be qualified to enter into the governing body of the University? If so, that reform or change in the constitution of the University ought evidently to precede and not to follow this discussion. If the judgment of the House is to be materially affected by the state of things in Durham on that point, it is impossible to ask the House to accede to the proposal of the Government on the stipulation that a change of this kind may be hereafter effected. The right hon. Gentleman mentioned nothing about the governing body, and gave no pledge to alter it. But if he means, as he said on the part of the Government, that all persons who have taken degrees in the University shall have votes, that is an entire innovation in the nature of the University representation. How many thousands of persons in Oxford and Cambridge have taken degrees, but have possessed no votes? If the House determine that University Members shall be elected by men who have taken degrees, but have lost all connection with the University, and have taken their names off the books, that will be a change of great importance in the University representation. At Oxford it would involve changes of a serious nature. Gentlemen not admitted into Convocation on account of having changed their religious professions since they took their degrees would, under the proposal of the right hon. Gentleman, become voters. I do not say whether that is desirable or undesirable; but it is not a change which should be made without any previous intimation on the part of the Government, involving, as it does, a total change in the character of the University representation. I may say that I look with sincere interest on the University of Durham. I believe firmly that it is beginning to enjoy an efficient and even a vigorous life. I trust that at a future period its condition may be such that it may fairly come to Parliament and ask for representation. But the University of London differs from it in this vital respect—that it is already in that condition. It has a considerably larger constituency than either of the pairs of Scotch Universities to which you profess to give a separate representation. If that be so, let the House deal with the case of London now, because it is ripe for representation, reserving the case of Durham until it may be considered on its own merits. After the University of London has for fifteen years been expecting representation, let us not do the most odious of all things—give that which professes to be a boon subject to conditions which convert it, if not into an injury, yet into a slight and a disparagement.

Mr. GRANT DUFF: I subscribe to every word that has fallen from the right hon. Gentleman the Member for South Lancashire. I think the policy proposed by him would be far the wisest for the University of Durham to pursue; but I would entreat hon. Members from the North of England to understand that I and others who are taking an active part in resisting the union of Durham with the London University, have not the slightest ill-will towards the institution in which they are interested. Individually, my feelings are altogether of an opposite kind, as the hon. Member for South Northumberland (Mr. Liddell) is quite aware. It so happens that, although a graduate of Oxford and London, I was at one time of my life very well acquainted with theUniversity of Durham, and have nothing but the pleasantest associations with it. I quite understand and appreciate the feeling of North of England Members towards Durham. Those who only know the South are not aware of the amount of sentiment that gathers round that ancient cathedral city, and, besides, since the recent reforms, I really believe the University is doing very useful work. Let it go on maturing itself, and its good deeds, and then come to Parliament for representation. But if it really requires immediate representation, I say, in all seriousness, and as a Member of the Oxford Convocation, I accept, as the less bad alternative of the two before us, the proposition of the hon. Member for Tynemouth to join the University of Durham to the Oxford constituency. Do not spoil the constituency of the London University. People talk of the omnipotence of Parliament, but I defy, not only Parliament, but any power in heaven or earth to spoil any thing so bad as the constituency of Oxford.

Mr. DENMAN said, he was acquainted with many highly respectable members of the University of London, and he knew that this proposal was most unpalatable to them. He did not know whether it would be equally so to Members of the University of Oxford. There was much more diversity between the Universities of London and Durham than between those of Oxford and Durham. He had been blamed for using, on the previous evening, respecting the University of Durham, disparaging expressions. He had called it a small and miserable University. He was sorry he had used the word "miserable," and begged to express his regret openly; but he would not retract the word "small." It was not a University at all in the proper sense of the term. It was simply a College, about as large as one of the small Colleges of Oxford or Cambridge. It was something like St. Bee's, and not to be compared with the Universities of Oxford or Cambridge, or with the University of London. He had great respect for the University of Durham as a small struggling place of education, and when it had grown into larger dimensions he should be prepared to consider its claim to representation. He should support the Motion of his hon. Friend.

MR. CHILDERS said, he found, on reference to *Dod*, that there were 1,700 electors in the University of Dublin. In the University of London there would be 2,600. Would hon. Gentlemen opposite, who came from Ireland, and who voted in favour of attaching the small University of Durham to London, be prepared in Ireland to attach the Queen's University to Trinity College? The one proposal would be at least as just as the other, the Dublin University having two Members, while the University of London would have only one.

MR. POWELL said, he wished to ask the right hon. Gentleman (Mr. Mowbray) whether he meant to convey to the House that persons being on the register of graduates, whatever their religious persuasion, were to be members of Convocation for all purposes, or whether it was only meant that they were to have electoral privileges. Having fought a long time along with Her Majesty's Government to prevent the admission of Dissenters and Roman Catholics to the governing body of the University, he should feel that if the Government had now, without deliberation or debate, given up the principle, they had betrayed the confidence of their supporters.

MR. MOWBRAY said, it was not in the contemplation of the Government, nor had it been suggested by him, to alter the constitution of Convocation. Such a change must be a matter to be considered and determined by the authorities of the University. He had merely stated his impression from communications with some of the University authorities and from his own knowledge of what had taken place in recent years, that if this House gave electoral privileges to the Durham University changes would be made by the University authorities. It was never in his contemplation to interfere by legislation with the free action of the University authorities. All he meant was to express his belief that if left to themselves they would do what he said.

MR. OSBORNE said, he could hardly have imagined that the question of Universities would have produced so much consternation among hon. Gentlemen. One could not help commiserating the hon. Member for Cambridge (Mr. Powell), who in his excitement had almost run himself out of breath, and was actually about to denounce the Government of which he was a supporter. Now, the right hon. Member for Durham, whom he looked upon as the author of this project—for he knew that the Chancellor of the Exchequer did not like it—the right hon. Member for Durham (Mr. Mowbray), supported by the hon. Member for Northumberland (Mr. Liddell), the godfathers of this University scheme, had given a sort of pledge that Convocation, or some members of Convocation, were going to do something. But in what position were the Committee? They were called upon to legislate on a subject about which they did not know whether Convocation would coincide in opinion with the right hon. Member for Durham. There might be in Convocation spirits like the hon. Member for Cambridge. The most sensible thing under the circumstances would be to postpone the question. He would therefore move that the Chairman report Progress and ask leave to sit again. He would not press the Motion unless it appeared to be generally acceptable.

THE CHANCELLOR OF THE EXCHEQUER: I think the best thing we can do is to proceed with the clause. I do not understand that these communications which have been made respecting the Convocation of the University of Durham have anything to do with the question before the Committee. They did not at all affect the course the Government have taken. I wish to proceed and to bring this question to a conclusion as soon as possible.

MR. CARDWELL said, he made last night a very respectful appeal to the right hon. Gentleman the Chancellor of the Exchequer to delay proceeding with the question until the University of London had time to express an opinion upon it. He thought after what had occurred to-day that that suggestion was of some value. He quite agreed with the Chancellor of the Exchequer that they ought not to report

Progress, but to come to some decision. He would like, however, to know what they were about. They were going to put into this 15th clause "the graduates of the Universities of London and Durham," and immediately followed the 16th clause, defining the voters, the words being "every person whose name is for the time being on the register of graduates constituting the Convocation of the University of London." The proposal now was that "every person whose name was on the register of graduates constituting the Convocation of the Universities of London and Durham" should be a voter. But every person not a member of the Church of England was excluded from the Convocation of the University of Durham. Therefore, whatever might be the value of that ambiguous information which the Chancellor of the Exchequer had disregarded, and which the Committee also were entitled to disregard, if they were to vote, they must do so upon the question submitted by the Chancellor of the Exchequer whether the graduates of the two Universities as now constituted were to form one constituency.

Motion, by leave, *withdrawn.*

Mr. AYRTON said, he hoped the hon. Member for Tynemouth (Mr. Trevelyan) would also withdraw his Amendment and not make their proceedings a laughing-stock to the public. It seemed to him that the Committee would best arrive at a decision if they left the Government to amend the clause as they liked, and then divide upon the question that the clause as amended stand part of the Bill.

Mr. ROEBUCK said, that if they inserted the words "and Durham," and then rejected the clause as amended, they would get rid not only of Durham, but of London too.

Mr. TREVELYAN said, that in deference to the opinion of the Committee, he would withdraw his Amendment. He had effected his object by the expression of opinion he had elicited.

Amendment, by leave, *withdrawn.*

Mr. HENLEY said, the intention of the hon. Gentleman, so far as he could gather it, was that in order to get the Committee out of a difficulty he proposed to add Durham to Oxford. But, as he did not intend evidently to leave London unrepresented, he would, no doubt, afterwards move to add London to Cambridge.

Mr. W. E. FORSTER said, he wished to know, before they went to a division, whether he understood the right hon. Member for Durham (Mr. Mowbray) aright. That right hon. Gentleman seemed to him to state that if this clause were carried with the words "and Durham" inserted, it was intended by the Government to open the franchise to those who had taken degrees there ["No, no!"], irrespective of the question whether the University of Durham did or did not alter its constitution.

The CHANCELLOR of the EXCHEQUER: I agree with the right hon. Gentleman the Member for Oxford (Mr. Cardwell) that this is an occasion on which we may really decide upon Clause 16. In answer to the hon. Gentleman who has just spoken, I may say that we have no intention of proposing any change in the manner of constituting the Convocation of Durham University. It is entirely open to the University of Durham to alter its constitution or not. I had never any intention of proposing to alter it. The observations made by my right hon. Friend near me were, as he himself stated, founded upon local authority.

Mr. CARDWELL: Would the right hon. Gentleman allow me to ask, what it was the Judge Advocate, sitting next to him, stated on behalf of the Government?

The CHANCELLOR of the EXCHEQUER: My right hon. Friend had no communication with me on the subject. He spoke, as he said at the time, from conversations with persons of authority out of the House. He was appealed to individually, and he expressed his conviction.

Mr. LOWE: Then we are to gather from what has passed this moral—that when a Member of the Government, sitting next the right hon. Gentleman, makes a most important statement in the name of the Government, which the right hon. Gentleman, sitting by, does not contradict, that does not bind the Government to what he says.

Mr. MOWBRAY said, that in the language he used he certainly did not intend to commit his right hon. Friend the Chancellor of the Exchequer. What he said respecting the University had reference to the members of Convocation.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 226; Noes 234: Majority 8.

AYES.

Adderley, rt. hon. C. B.
Andover, Viscount
Archdall, Captain M.
Arkwright, R.

Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Baillie, rt. hon. H. J.
Baring, H. B.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Beach, Sir M. H.
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hn. Col. H. B.
Booth, Sir R. G.
Bourne, Colonel
Bowen, J. B.
Brett, W. B.
Bridges, Sir B. W.
Brooks, R.
Browne, Lord J. T.
Bruen, H.
Buckley, E.
Burrell, Sir P.
* Campbell, A. H.
Candlish, J.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
* Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
* Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowen, J.
Cooper, E. H.
Cox, W. T.
Cubitt, G.
Curzon, Viscount
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
* Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Col.
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Garth, R.
Goddard, A. L.
Goldney, G.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Graves, S. R.
Greenall, G.
Greene, E.
Grosvenor, Lord R.
Gurney, rt. hon. R.
* Gwyn, H.
Hamilton, rt. hn. Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Harvey, R. B.
Harvey, R. J. H.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Henderson, J.
Henley, rt. hn. J. W.
Henniker-Major, hn. J. M.
Herbert, hon. Col. P.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgkinson, G.
Hodgson, W. N.
Hogg, Lieut.-Col. J. M.
Hood, Sir A. A.
Hornby, W. H.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, G. W.
Hutt, rt. hon. Sir W.
Ingham, R.
Jervis, Major
Jones, D.
Karslake, Sir J. B.
Kavanagh, A.
Kelk, J.
Kendall, N.
King, J. K.
King, J. G.
Knight, F. W.
Knox, Colonel
Knox, hon. Col. S.
Lacon, Sir E.
Laird, J.
* Langton, W. G.
Lascelles, hon. E. W.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lloyd, Sir T. D.
Lopes, Sir M.
* Lowther, hon. Col.
Lowther, Captain
Lowther, J.
* M'Lagan, P.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Meller, Colonel
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morgan, O.
Morgan, hon. Major
* Morris, G.
Mowbray, rt. hn. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
* Newport, Viscount
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Neill, E.
Packe, C. W.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Pease, J. W.
Percy, Major-Gen. Lord H.
* Pryse, E. L.
* Pugh, D.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Selwin, H. J.
Selwyn, C. J.
* Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
* Smith, S. G.
Smollett, P. B.
Stanhope, J. B.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stock, O.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Talbot, C. R. M.
Thorold, Sir J. H.
Thynne, Lord H. F.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
* Walker, Major G. G.
Walpole, rt. hon. S. H.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
* Whitmore, H.
* Williamson, Sir H.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynn, W. R. M.
Yorke, J. R.

TELLERS.

Taylor, Colonel T. E.
Noel, hon. G. J.

[Members marked * did not vote in the previous division.

Barttelot, Colonel, Bateson, Sir T., Bruce, Sir H. H., Corrance, F. S., Dalglish, R., Duncombe, hon. Admiral, Dunne, General, Gilpin, Colonel, Headlam, rt. hon. T. E., Innes, A. C., Jolliffe, hon. H. H., Mackinnon, W. A., Noel, hon. G. J., Powell, F. S., Read, C. S., Scott, Lord H., Shafto, R. D., Welby, W. E., voted with the "Ayes" in the previous division.]

NOES.

Acland, T. D.
Adair, H. E.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Annesley, hon. Col. H.
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Baring, hon. A. H.
Barnes, T.
Barry, A. H. S.
Bass, A.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Bowyer, Sir G.
Bright, J.
* Brown, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Butler-Johnstone, H. A.
Buxton, Sir T. F.

Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
* Cecil, Lord E. H. B. G
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clinton, Lord E. P.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Collier, Sir R. P.
* Colthurst, Sir G. C.
Colvile, C. R.
Corbally, M. E.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dent, J. D.
Dundas, F.
Earle, R. A.
Edwards, C.
Edwards, H.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Ewart, W.
Ewing, H. E. Crum-
* Eykyn, R.
* Fildes, J.
* Finlay, A. S.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Fortescue, hon. D. F.
Foster, W. O.
Gaselee, Serjeant S.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
* Gower, Lord R.
Graham, W.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Griffith, C. D.
* Grosvenor, Capt. R. W.
Gurney, S.
Hadfield, G.
Hanmer, Sir J.
Hardcastle, J. A
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hayter, A. D.
* Heneage, E.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgson, K. D.
Holden, I.
Holland, E.
Hope, A. J. B. B.
Howard, hon. C. W. G.
* Hughes, T.
Hurst, R. H.
* Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kekewich, S. T.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Laing, S.
Layard, A. H.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lowe, rt. hon. R.
* MacEvoy, E.
Mackinnon, Capt. L. B.
M'Laren, D.
Marjoribanks, Sir D. C.
Marsh, M. H.
Martin, C. W.
Martin, P. W.
Matheson, A.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morrison, W.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Conor Don, The
Ogilvy, Sir J.
Oliphant, L.
Onslow, G.
* Osborne, R. B.
Owen, Sir H. O.
Packe, Colonel
Padmore, R.
* Palmer, Sir R.
* Peel, A. W.
* Peel, J.
Pelham, Lord
Philips, R. N.
Platt, J.
Portman, hn. W. H. B.
Potter, E.
Potter, T. B.
Price, R. G.
Price, W. P.
Pritchard, J.
* Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robertson, D.
Roebuck, J. A.
Rothschild, N. M. de
Russell, A.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scholefield, W.
Scott, Sir W.
Scourfield, J. H.
Scrope, G. P.
Seely, C.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
* Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Stone, W. H.
Sullivan, E.
Sykes, Colonel W. H.
Taylor, P. A.
Tite, W.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vanderbyl, P.
* Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn G.
* Warner, E.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
* White, hon. Capt. C.
White, J.
Wickham, H. W.
Winnington, Sir T. E.
Wyld, J.
Wyvill, M.
Young, R.

TELLERS.
Goldsmid, J.
Duff, M. E. G.

[Members marked * did not vote in the previous division.

Agar-Ellis, hon. L. G. F., Barclay, A. C., Bass, M. T., Bouverie, rt. hon. E. P., Briscoe, J. I., Doulton, F., Goldsmid, J., Hay, Lord W. M., Lusk, A., Monk, C. J., Sheridan, H. B., Waring, C., voted with the "Noes" in the previous division.]

THE CHANCELLOR OF THE EXCHEQUER said, he thought it would be better to complete the clause, and alter it on the Report.

Clause, as amended, *ordered* to stand part of the Bill.

Clause 16 *agreed to.*

Clause 17 (Successive Occupation).

MR. POWELL said, he moved to insert after the word "shall" the words "unless and except as herein otherwise provided." The object of the Amendment was to correct what would otherwise be an ambiguity, consequent on the adoption of the lodger franchise.

Amendment *agreed to.*

SIR ROBERT COLLIER said, that he should propose to add the words "or lodger," which alteration was necessary to put lodgers upon the same footing as owners and tenants in reference to retaining the franchise, notwithstanding a succession of occupations.

MR. DENMAN said, the Amendment should run thus:—"as owner or tenant shall, or as lodger shall."

Mr. WALPOLE said, he thought that this was a matter of which notice ought to have been given. The Amendment would virtually repeal some words in the lodger clause.

Mr. GLADSTONE said, he did not think that when the lodger franchise was discussed the question of a parity of dealing with the different classes of persons having votes was brought into view. He agreed that it would be better that the question should be raised after notice.

Sir ROBERT COLLIER said, he would withdraw his Amendment, and that he would at a future period move a new clause.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 18 (Joint occupation in Counties).

Mr. KNATCHBULL - HUGESSEN said, he would suggest that there should be the same power of limiting the joint occupation as in the case of boroughs.

Mr. GOLDNEY said, that in the boroughs where household suffrage would prevail there was no value set forth, but in the present clause the words were, "so far as the value is concerned."

Mr. KNATCHBULL - HUGESSEN moved that the words "Provided also that in no case shall more than two such joint occupiers be registered as voters in respect of the same occupation" be added to the clause.

Sir ROUNDELL PALMER said, this was a subject which well deserved the attention of the Committee. On former occasions there had been several close divisions on the question whether faggot voting should be checked by requiring a house to be upon the land. The Committee, by several narrow divisions, determined that they would not adopt that mode of checking faggot votes. It was all the more necessary, therefore, that the practice should be checked in the direction now proposed by his hon. Friend. The evidence that was taken before the Committee on the Totnes election was full of useful instruction on this subject. It appeared there that when the £10 borough franchise was in question—and he need not say that £12 was not far removed from the old £10 qualification—two methods were resorted to for the purpose of creating faggot votes. One was to let a single field with a hut upon it for £10 to a single tenant, the other was to let a large parcel of land to a limited company of occupiers, none of whom had any real interest in the land. Since they had refused to require a house with occupation franchise for counties it was the more important that they should take precautions against the multiplication of votes of persons who had no real interest in the land.

Mr. GLADSTONE said, he wished to refer to what took place last year on this subject. Many hon. Members sheltered their refusal to require a house for the occupation franchise on his giving up that point in the Bill of last year. What he did last year was this. In deference to the opinions of the other side, Her Majesty's then Government agreed to give up their clause requiring a house, upon the understanding that there should be a limitation to the power of multiplying votes in joint occupancy in the mode proposed by the Bill of the right hon. Gentleman in 1859. The 6th clause of that Bill did not refer to the occupation franchise, but it provided that in all freehold, leasehold, and copyhold interests—he apprehended there would be no difficulty in making it apply to an occupation interest also—not more than two persons should be allowed to vote on joint occupancy, unless it had been acquired by marriage or devise, or unless the persons were associated together in the occupation for the purposes of trade.

Mr. POWELL said, that the hon. and learned Member for Richmond (Sir Roundell Palmer) had opposed a proposal which he had made on a former occasion with the view of preventing the creation of fictitious votes. He congratulated him on his conversion.

Mr. GOLDNEY said, he thought the number "two" would be somewhat restrictive. Three or four brothers might have an interest in the property. He would suggest the substitution for it of "three."

The ATTORNEY GENERAL said, he was willing to agree to the suggestion of the right hon. Gentleman opposite that the clause in the Bill of 1859, with its exceptions, should be introduced. He suggested that the clause be allowed to stand over with a view to incorporate the clause referred to.

Sir ANDREW AGNEW said, he was glad this course would be adopted, as it would prevent any but *bonâ fide* voters from getting upon the register, and so carry out the wishes of both sides of the House.

Mr. KNATCHBULL - HUGESSEN said, he had introduced the Amendment in no hostile spirit, and would withdraw it on the undertaking given by the hon. and learned Gentleman.

SIR EDWARD COLEBROOKE said, he would remind the hon. and learned Gentleman that it would be necessary to include in the clause those occupations that were not under a lease. He cordially supported the clause, which he regarded as even more important than the one he unsuccessfully proposed the other evening.

MR. HENLEY said, he had no doubt it was the general wish of the House to prevent faggot voting, but he begged to point out that hon. Gentlemen were taking a great deal of trouble to teach people to make faggots. The speech of the hon. and learned Member for Richmond (Sir Roundell Palmer), and his allusions to the doings at Totnes, was just an ingenious way of showing people how the thing was to be done—it was really calling people's attention to the subject who otherwise would never have thought of it. There was nothing he disliked more than these votes, but what was to prevent a man who had 100 acres of land dividing it among ten or twelve persons?

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 19 (Registration of Voters).

THE CHANCELLOR OF THE EXCHEQUER said, that considerable omissions would have to be made in the clause on account of the rejection of the special franchises. It would be necessary to make provisions applicable to the lodger registration, but the hon. Member for Finsbury had an Amendment on the Paper with respect to it, and he would not touch on that part of the question. He would now simply move in line 28, after the word "vote" to insert "for a county." By this it was intended to provide the county constituencies with the same privileges as occupiers of ground as were enjoyed by occupiers of houses in boroughs as to registration.

SIR EDWARD BULLER said, there was no provision for the registration of freeholds, where there was no occupation. He did not see how any freeholder, living out of the parish, could get on the register.

THE CHANCELLOR OF THE EXCHEQUER said, that the clause was only supplementary to the existing law on the same subject, which provided for the registration of freeholds.

Amendment *agreed to.*

Mr. Knatchbull-Hugessen

MR. M'CULLAGH TORRENS said, that when the principle of the lodger franchise was adopted, it was understood that the lodger should be put on the same footing as a householder with respect to making his claim to be registered as a voter. The Amendment he now moved was intended to carry out that object. He begged to move in Clause 19, page 7, line 3, after "admit," to insert the following subsection:—

"2 a. The claim of every person desirous of being registered as a voter for a Member or Members to serve for any borough in respect of the occupation of lodgings, shall be in the Form numbered 5 in Schedule E, or to the like effect, and shall have annexed thereto a declaration in the form, and be certified in the manner in the said Schedule mentioned, or as near thereto as circumstances admit; and every such claim shall, after the last day of July, and on or before the twenty-fifth day of August in any year be delivered to the overseers of the parish in which such lodgings shall be situate, and the particulars of such claim shall be duly published by such overseers on or before the first day of September next ensuing, in a separate list according to the Form No. 6 in the said Schedule E.

"And the following provisions shall, with the necessary variations, apply to every such claim and list, viz.:—

"So much of section eighteen of the Act of the Session of the sixth year of the reign of Her present Majesty, chapter eighteen, as relates to the manner of publishing lists of claimants, and to the delivery of copies thereof to persons requiring the same.

"And the whole of the thirty-eighth and thirty-ninth sections of the same Act."

Amendment *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, he proposed to omit the latter sections of the clause relating to the special votes. He moved the omission of the 5th, 6th, and 7th.

MR. GOLDNEY said, he had no objection to offer to the Amendment, as it followed the provisions of the 15th *Vict.*, and contained precautions against unqualified persons being placed on the register.

MR. HIBBERT said, that no provision had been made in respect to the registration in boroughs. In municipal boroughs he thought that the registration should be made out in wards, and not, as at present, by the overseers. This would be a great convenience in large towns.

THE CHANCELLOR OF THE EXCHEQUER said, that the clause referred only to registration in counties. It had nothing to do with the general registration. He was aware that the great increase of the constituencies, and other circumstances, would require some attention to the registration, and he proposed to deal with them. He should introduce provisions respecting the time of registration and the remuneration of the local authorities, in Clause 42.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill,"

MR. W. E. FORSTER said, he was glad to hear that the Chancellor of the Exchequer intended to bring forward a fresh registration clause, so as to give the required facilities to the increased number of voters. He hoped that the proposed clause would be brought forward as early as possible.

THE CHANCELLOR OF THE EXCHEQUER said, he did not intend to deal extensively with the question of registration. That was a great question, which it might be necessary hereafter to consider *in extenso.* All he now wished to do in regard to this Bill was to frame a provision which would deal with the subject of registration in such a manner as to make the measure in itself complete and to work completely.

MR. SCHREIBER said, that if there were to be a registration in October next, and another in spring, they would practically be doing the work twice over.

THE CHANCELLOR OF THE EXCHEQUER said, if there were to be a general registration it should of course be provided for.

Clause, as amended, *agreed to.*

Clauses 20 and 21 *omitted.*

Clause 22 *agreed to.*

Clause 23 (Provision for increasing Polling Places in Counties).

THE CHANCELLOR OF THE EXCHEQUER said, that he proposed to strike out this clause, and to bring in a new clause at the end of the Bill in its place.

MR. KNATCHBULL - HUGESSEN said, he wished to ask if the Chancellor of the Exchequer would take into consideration the desirability of drawing up the new clause in such a manner as to include pollin-gplaces in boroughs as well as in counties.

MR. HIBBERT said, some provision should be made for providing additional polling-places in large boroughs.

THE CHANCELLOR OF THE EXCHEQUER said, that the hon. Member had been misled by the expression "polling-place." What was really meant was "polling-booth." In boroughs there was power by the law, as it at present stood, to provide any increased number of polling-places that might be required.

MR. CHILDERS said, that under the 68th section of the Reform Act this matter was left entirely to the discretion of the returning officer, and persons living at a distance of several miles from each other might be obliged by the returning officer to resort to the same spot.

MR. AYRTON said, he hoped the Chancellor of the Exchequer would consider the question of the law of polling-places. The returning officer was not bound to do anything until a poll had been demanded, and if he waited until that time inconvenience would ensue. He charged anything he liked, and gross abuses were practised, unless strong-minded Members resisted the demands that were made. It would be a convenience if there were an alphabetical list of voters for each polling district. The returning officer ought to prepare this from the parochial lists furnished by the overseers. It was unnecessary to incur the expense of building booths when suitable rooms could be hired, and a few pounds for the use of a school-room would often be acceptable to the managers.

MR. ALDERMAN SALOMONS said, he sympathized with what had been said as to the demands of returning officers. At the same time, the returning officer was subject to uncertainty as to the number of candidates who would require hustings accommodation. He might be held criminally or civilly responsible for accident resulting from the insecurity of the structure provided. Sometimes he would stand no chance of re-payment unless he secured the money beforehand.

MR. SCHREIBER said, a returning officer might provide booths and have to pay for them himself if there were no contest.

MR. P. WYKEHAM MARTIN said, the returning officer was entitled to ask for a guarantee from all candidates, whether there was a contest or not, and that in his borough rooms were used as polling-places.

MR. BERESFORD HOPE said, it was the same in Stoke, and that in Stafford and Derby rooms were used at the county elections.

THE CHANCELLOR OF THE EXCHEQUER said, he thought there ought to be a clause providing for polling-places in boroughs as well as in counties. He would therefore withdraw the clause.

Clause *negatived.*

Clause 24 (Rooms to be hired wherever they can be obtained).

Mr. AYRTON said, that as the county rate was payable by inhabitants of boroughs that were not counties of themselves, the boroughs ought to have their polling-places provided out of the same rate.

Mr. W. E. FORSTER said, they had arrived at the clause which the hon. Member for Brighton (Mr. Fawcett) had proposed to amend by providing that the costs of the county and borough elections should be borne by the county and borough rates. The hon. Member was absent, probably thinking it unlikely that the clause could come on so early, and as it was within half an hour of the time for suspending the sitting, it was not unreasonable to expect the Committee to report Progress, which he moved it should do.

Mr. CRAWFORD said, that in the City of London there were nineteen polling-places, the expenses of which candidates had to bear. The largest counties had not a greater number.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

IRELAND—TRINITY COLLEGE, DUBLIN.

RESOLUTION.

Mr. FAWCETT said, that his Motion proposed to open the Fellowships and Foundation Scholarships of Trinity College, Dublin, to persons other than members of the Established Church. The University consisted of a single College but was complete in itself. It was efficient in all the requirements of an University. It possessed a museum and library, with privileges similar to those of the Bodleian and University libraries at Oxford and Cambridge. It was the richest collegiate foundation in the world. Its estates extended over seventeen Irish counties, and comprised 200,000 acres. Its revenue in 1851 was £92,000. There was no such College at Oxford or Cambridge. In spite of the bad principles on which the revenues of the College were managed, they conferred splendid rewards upon learning and scholarship. The seven senior Fellowships in Trinity College, Dublin, were more splendid prizes than any which were given in Oxford or Cambridge. Besides these there were twenty-eight junior Fellowships, the value of which varied according to the

offices held by the junior Fellows, and seventy foundation scholarships. The whole of these splendid endowments were appropriated to those professing the religion of the minority of the nation. The religious disabilities associated with Trinity College, Dublin, represented a higher order of injustice than the religious disabilities—which he had always opposed—connected with Oxford and Cambridge. In those Universities persons could at any rate put forward the excuse that rewards were appropriated to the dominant religious party, but in Ireland the vast collegiate endowments were exclusively appropriated to a small religious faction. Upon this question he thought he should secure the votes both of the Conservatives of the North of Ireland and the Liberals of the South, because the injustice which he was bringing under the notice of the House equally affected Protestants and Roman Catholics. This systematic exclusion affected the Presbyterian as much as the Roman Catholic, for no Nonconformist was allowed to become a scholar or Fellow of Trinity College, Dublin. The Committee appointed in 1851 to inquire into the state of this College made some useful suggestions, but they seemed paralyzed by the opposition which they met with from influential Protestants who had profited by the exclusive privileges they had enjoyed. Bishops, clergymen, and laymen came forward and said, "Throw open the foundation scholarships of Trinity College, and what do you do? You destroy the Protestant character of that institution, and you strike a blow at the Protestant principles upon which it is founded."

Notice taken that forty Members are not present; House counted, and forty Members being found present—

Mr. SAMUELSON rose to a point of order. He desired to know whether it was competent for an hon. Member who had moved that the House be counted to immediately leave the House.

Mr. SPEAKER: It is competent for any hon. Member to take notice that there are not forty Members present, and he need not himself remain in the House afterwards if he does not think fit to do so.

Mr. FAWCETT said, it had been argued that if the scholarships were not exclusively appropriated to members of the Established Church, the distinctive character of the College would be lost, and the purposes for which it was founded would be unfulfilled. The College was founded in the reign of Elizabeth, at the time when, with a view of exterminating Roman Catholicism, the people of Ireland were subjected to cruelties the remembrance of which for ages tended to destroy all kindliness of feeling between the two countries. It might, perhaps, be said that a Protestant University in a Roman Catholic country was an insult upon the inhabitants. The association of any religious title with a University was a most incongruous procedure. A University had higher and nobler ends to perform. Under its influence men of the highest culture, without regard to their religious opinions, ought to be able to live together in intellectual communion undisturbed by sectarian differences. His Motion would incur the opposition not only of those who thought the course he proposed would tend to weaken the ascendancy of the Established Church in Ireland, but also of many Roman Catholics—the persons he desired to benefit. Many of the latter would be more content to witness the injustice resulting from the system than to acknowledge that any advantages would accrue from unsectarian education. But, while no one desired that the Roman Catholics should be compelled to send their sons to Trinity College, many Roman Catholics already received their education there, and it was indefensible that those so educated at the College should be unable to obtain substantial rewards. The fourteen scholarships which had been thrown open during the last few years did but little to remedy the injustice. He trusted that the right hon. Gentleman the Member for Limerick (Mr. Monsell), who had placed an Amendment on the Paper, the object of which was somewhat similar to his own, would not press it, but allow the sense of the House to be taken on his Motion, which raised a distinct issue. As long as Ireland remained in its present state she would lend no strength to the Empire at large. Large districts of Ireland were essentially disloyal, and there was a feeling of bitter antagonism against this country. It was impossible that Ireland could be of any advantage to England until something was done to create a bond of attachment between the two countries, instead of keeping them together by force of arms. If they did what they could to remove every grievance, they would have the satisfaction of knowing that they were not to blame for Ireland's discontent. They might also hope that her disposition towards England would be better for the future. Although this might appear a small question, it struck at the root of a great religious disability. Of all the ills and curses that had been inflicted on Ireland probably the most disastrous had been due to attempts in past ages to enforce on a Roman Catholic country a religion to which they would not consent. In order to make some amends for the past, and as an act of simple justice, they should no longer allow those splendid Collegiate endowments to be exclusively appropriated to a small religious sect. They should allow them to be enjoyed by the whole nation. Trinity College might then become the nucleus of a great University, where men of different religious opinions might live together, and from it extend over the entire country a religious harmony which could not fail to produce effects of the most tranquillizing and beneficent character.

Motion made, and Question proposed,

"That, in the opinion of this House, it is undesirable that the Fellowships and Foundation Scholarships of Trinity College, Dublin, should be exclusively appropriated to those who are members of the Established Church."—(*Mr. Fawcett.*)

MR. MONSELL said, he thanked the hon. Member for the tone and temper of his speech, and the generous sympathy towards Ireland, which animated the Motion he had submitted. No time could be more opportune than the present for discussing this question. During the last week the Attorney General for Ireland having consented to the action brought against the Senate of the Queen's University with reference to the supplemental Charter, they had withdrawn from the contest thinking it unseemly that the representative of the Crown should be concerned in a suit for abrogating a Charter which Her Majesty had graciously issued during last Session. Therefore, at the present moment, there was with regard to University education a *tabula rasa* in Ireland. The great mass of the population were excluded by their conscientious convictions from obtaining the advantages of academical degrees. It was the duty of that House and of the Government therefore, with as little delay as possible, to consider the circumstances of the case, and the best means of remedying so crying an injustice. In a petition which had been presented to-day, signed by 4,000 laymen in Ireland belonging to the Established Church, the claim had been put forward for exclusive and sectarian education for

Protestants. Those who asserted that claim for themselves had opposed the establishment of a new system under which degrees might be obtained by Roman Catholics educated in Roman Catholic establishments. They refused to apply to Catholics the principle upon which they asked to be treated themselves, and the consequences of that injustice would recoil on those who practised it. Unless they came to some reasonable compromise on the subject they would find that the strong opinion of the House would carry this Motion, and break down the religious character of Trinity College. On the other hand, he must remind the hon. Member for Brighton that this question required the greatest and most deliberate consideration. It would be unwise to attempt to patch up the Irish system of education without considering the principles on which they desired it should be developed. In the consideration of these principles they must mainly look to the feelings and wishes of the Irish people. His hon. Friend not having a sufficient knowledge of Ireland had not taken these feelings into account. With respect to the right of the House to deal with the revenues of Trinity College and to open the Fellowships, there could be no doubt. It did not appear to have been founded in the first instance with any special object to religious instruction. In the letter which Lord Deputy Fitzwilliam was commanded to write in 1591, directing the sheriffs throughout Ireland to collect money for the College, the reason stated was—

> "That the University will prove to the benefit of the whole country, whereby knowledge, learning, and civility may be increased."

There was not one word of reference in that letter to the question of religion. However, be that as it may, they were not now to be bound by what was done in days when no teaching, save that of the Established Church, was permitted, and when any one who attempted to teach publicly any other religion was silenced and punished. He could not understand how hon. Gentlemen could say that it was just or right that Colleges founded by Roman Catholics should be monopolized by the religion of the State, and maintained at the same time that it was not just or right for the House to deal with the revenues of Trinity College under the altered circumstances of the times. He took it for granted they had a right to deal with the revenues of Trinity College. The first question was in what way they could deal with it to the advantage of the Irish people. What were the feelings of the Irish people on the subject? He believed that the Irish people, both Protestants and Roman Catholics, were unanimous in desiring that their children should be brought up in the religion of their parents. It was utterly impossible for any system of education not founded on that principle to prosper in that country. As an instance, he might refer to the Queen's Colleges. There was one of the Queen's Colleges successful—namely, the College of Belfast, which was denominational and animated by as strictly a Protestant spirit as even Trinity College itself. In that College they had excluded Roman Catholics from every place and position of influence. This being the case in Belfast was a proof of what he had asserted even as regarded the Protestant population. As to the Colleges of Galway and Cork, Irish Gentlemen who had paid any attention to the subject would agree with him when he said that parents sent their children to those Colleges only because they thought they could gain for them some very great temporal advantage. The proposal before the House was, that the governing body of Trinity College, Dublin, should be open to persons of all religious opinions. If that plan were carried out, and in the course of ten years one half of the Fellows should be Roman Catholics and the other half Protestants, the result would be that neither Protestants nor Roman Catholics would send their sons there. The change would not benefit the position of the Roman Catholics, and would lower the position of the Protestants. His hon. Friend might depend upon it that if his Motion were acted on, Trinity College, which, at all events, was popular with Protestants, would become unpopular with both Protestants and Roman Catholics. If that were so, the principle on which the Motion of his hon. Friend was founded could not be a right one. One mode which had been suggested for remedying the grievance was, that there should be Universities founded for different sects in Ireland, so that each of the great religious bodies should have a University for itself. The establishment of such a system would be one of the severest blows that could be inflicted on the intellectual development of Ireland. Putting Rome aside, whose circumstances as the head of the Catholic world were peculiar, he did not believe that there would be found in

Europe a town with two Universities. The obvious reason was the advantage which must result from the young men who came from different Colleges competing together in generous rivalry in one University. It would be the greatest blessing to Ireland to have one University, to which the students from different Colleges might go for the purpose of competing together. He would now ask the attention of the House to the Amendment of which he had given notice. Trinity College was the only College belonging to the University of Dublin. It was not intended that that should be the case. In 1660 a sum of £2,000 was set aside for the purpose of founding another College connected with the University. Why that object was not carried out he did not know. In 1795 an attempt of the same sort was made with a similar result. Lord Palmerston, in the discussion which took place with respect to the Queen's Colleges in 1845, stated, that it would be found necessary to establish some central point—probably in connection with Trinity College — which should combine different Colleges into one University. Therefore, for the scheme he proposed, he had the precedents of former times, and the high authority of Lord Palmerston. The proposal was, that the constitution of Trinity College should remain as it was, but that the University of Dublin should be separated from it and should be entirely non-sectarian, having a president and senate composed of persons belonging to the different religious bodies throughout the country, in which all could feel confidence. He proposed that there should be connected with the University Roman Catholic, Presbyterian, and Protestant Colleges, representing all the various shades of religious opinion in the country, and that from those Colleges the youth of Ireland should proceed to the University, there to compete in honourable rivalry. In what way could such a scheme affect the students of Trinity College? They would continue to have the same religious education as at present. They would be examined by an external body, instead of by their own teachers, while the competition with other students would tend to intellectual development. He would put it to his hon. Friend opposite (Mr. Lefroy), was it just that one man who had to compete with another of his countrymen in the walks of life should be denied the opportunities his competitor had of improving his intellect? There were two courses by which it was proposed to remove the religious disabilities under which the people of Ireland had so long suffered, and to establish complete equality. The one was a just and righteous course, such as that he had suggested, which would be in perfect harmony with the feelings and wishes of the Irish people. The other was that which would establish what was called unsectarian education, in other words, education which excluded religious teaching. He would tell his hon. Friend (Mr. Lefroy) that unless he could prevail upon his constituents to come to some such arrangement as he had suggested, the two currents, the one in favour of complete religious equality, the other latitudinarian, uniting together would be too strong for them to resist. The sectarian and religious character of Trinity College would be swept away, and they would lose what they valued most because they would not do justice to their fellow-countrymen. They would find out at last that in resisting justice to their neighbour they had destroyed themselves. He could not exaggerate the importance he attached to this question, or to the necessity there was for making the people of Ireland feel that Parliament intended to deal fairly and justly by them. He had received to-day a petition from fifty young men who were prevented from going up for examination with a view to taking a degree under the supplementary Charter. That petition was given to him by a gentleman of the highest character, who assured him that nothing could be more dangerous than the feeling which had been created in the minds of these young men by being debarred from that to which they believed themselves justly entitled. Those young men naturally felt that if they were treated in such a way it was probable that Ireland generally was dealt with on the same principle. The proposal he made was made in a spirit of conciliation, and with a conscientious conviction that it could not injure Trinity College. In this way an honourable settlement might be effected, which would remove many difficulties, while it would at the same time respect the religious convictions so deeply implanted in the Irish breast. He begged to move his Amendment.

Amendment proposed,

To leave out from the word "House" to the end of the Question, in order to add the words "the constitution of the University of Dublin should be altered so as to enable and fit it to include Colleges connected with other forms of religion than that of the Established Church, and that the members of such Colleges should be entitled to share in all the benefits now enjoyed by the Members of Trinity College,"—(*Mr. Monsell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. LEFROY said, that as one of the Members for the University of Dublin, and after the way in which he had been appealed to by his right hon. Friend, he should not be discharging his duty if he did not state his opinions upon this Motion. He was much surprised when he saw upon the Paper the Amendment of the right hon. Gentleman. That Amendment would not be likely to meet with the sanction of the House. He would not at that time enter upon the scheme of his right hon. Friend, for he had not yet had time to consider it. But he thought that a great portion of the argument by which he endeavoured to support it was not sound or well founded. His right hon. Friend said that those who were educated in Trinity College had not the full advantages of competition. But truly there was competition enough there upon almost every subject, and it was difficult to see that the scheme proposed would better the state of things that now existed. He would not enter at present further into the consideration of that plan, but would say a few words upon the proposal of the hon. Member for Brighton. The hon. Member appeared to forget that the University of Dublin had been founded by a Protestant Queen, at the request of the Archbishop and clergy of the day, avowedly upon Protestant principles, and that by Charter its Professors, Fellows, and scholars were to be Protestants. Under these circumstances, he did not understand how the hon. Member could propose that the constitution of the University should be at once abolished, and Roman Catholics and Dissenters admitted to the governing body. At first all who were to receive instruction at Trinity College were obliged to be Protestants, but by degrees that rule was relaxed, and in 1793 the benefits of education were extended to all classes. They were all aware how many distinguished Roman Catholics had availed themselves of that concession. From that period various other concessions were made until 1853, when it was alleged that Roman Catholics were unfairly treated in not being allowed to become scholars. A Royal Commission was appointed, and it was suggested that the scholarships should be thrown open to Roman Catholics. On consideration this was not approved, it being thought better to establish an unlimited number of non-foundation scholarships, with the same benefits as the foundation scholarships. Under this plan Roman Catholics who passed the examination gained scholarships at once, and had not to wait for vacancies. As to the legal aspect of the question, there had been a distinct legal decision that only Protestants were eligible for scholarships or Fellowships. In 1858 there were fourteen studentships founded, open to all religions, each £100, and two are now held by Roman Catholics. They are analogous to the Fellowships in the English Universities. It was admitted by the late Mr. O'Connell that the foundation scholarships having been originally intended for the benefit of young men destined for the Church, it would not be just for Roman Catholics to deprive them of those advantages. The grievances complained of were only imaginary. The doors of the College were open to Roman Catholics and Protestants alike. He trusted that a state of things which worked so admirably, and was conducive of so much advantage to the country, would not be disturbed or destroyed by the adoption of either the Motion or the Amendment. He regarded the proposal of the hon. Member for Brighton as most unjust to Trinity College, and he hoped the House would refuse to sanction such an attack on its rights and privileges.

The O'CÔNOR DON said, he did not say a word against Trinity College as a Protestant Institution, because he believed that, considering it in that light, it was as liberal as they could desire. But that was not the question before the House. The question introduced by the hon. Member for Brighton was whether the Fellowships and scholarships of Trinity College should be open to persons of all religious persuasions in Ireland without any distinction. When that Notice was placed on the Paper he felt himself in some difficulty; because, while he could not deny that there was a good deal of justice in the statement that it was not desirable that all the emoluments of the University of Dublin should be confined to persons of one religion, the religion of the minority of the population, he at all times had maintained that religion should be combined with education. He had always felt that the principle embodied in the Queen's University of Ireland was not satisfactory to the people of that country. Therefore he felt that there might be some inconsistency in his acceding to an alteration of Trinity College, which would be practically bringing Trinity College into the same position as the Queen's Colleges. A Bill had been introduced for opening the government of the Colleges of Oxford to persons of different religious persuasions, and that Bill had been strongly supported by the hon. Member for Brighton. Though he had never voted upon that question, there was a great difference between the proposal with respect to Oxford and that with respect to the University of Dublin. In the case of Oxford the Bill was permissive, enabling any College to permit persons not belonging to the Established Church to take part in the government. But the proposal with regard to the University of Dublin, where there was only one College, was compulsory. He could not deny the justice of the statement of the Resolution that it was undesirable that all the emoluments attached to the University of Dublin should be enjoyed by the minority, and a rich minority, of the population. It was in accordance with that view that the right hon. Member for Limerick gave notice of his Amendment. In the spirit of that Resolution he entirely concurred. He believed that in it would be found the real solution of the difficulties of University education in Ireland. The Resolution of the hon. Member for Brighton did not deal with the whole question, but referred only to the emoluments connected with one particular foundation. The Amendment of the right hon. Gentleman went further. It remedied the anomaly of having the benefits of a University education confined to a particular persuasion, while it did not conflict with the maintenance of the religious element in education. At present, while the Established Church had a College of its own, Dissenters and Roman Catholics could obtain degrees only by going to institutions conducted on no religious principle. The Roman Catholics and the Dissenters were now at a disadvantage. The hon. Member for Brighton proposed that members of the Established Church should be placed under the same disabilities as the Roman Catholics, and have no means of getting University education for their children unless they sent them to a College where no religious education was given. Having always contended that the position of the Roman Catholics was unsatisfactory in this respect, he was not so inconsistent as to ask that the Members of the Established Church should be brought down to the same level. His desire was to place on an equality the members of all religious persuasions in Ireland, not by lowering the position of the members of the Established Church, but by elevating their fellow-countrymen. The proposal of his right hon. Friend the Member for Limerick would effect this object. He was not an advocate for unnecessarily increasing the number of Universities. The best system would be to have but one University for Ireland, and to have it open to all religious persuasions. He would also have, in connection with this University, Colleges in which the youths of different persuasions could be educated according to their respective creeds. It might be asked how could they who differed as to common instruction, agree upon a common examination, and would not difficulties arise in regard to the text books to be used? These difficulties might easily be got over, as the example of the London University proved. Students coming from Roman Catholic Colleges graduated at that University, and no difficulties as to text books had been found insurmountable. The explanation of this was very easy. Take, for example, the question of Moral Philosophy, on which the greatest difficulties might naturally be expected to arise. Roman Catholics would probably most strongly object to having their children instructed in the tenets of Paley or Bentham by Professors who accepted those tenets as true, but they had no objection to having those works used as text books in Catholic Colleges, where the teachers would, in reading them, point out what they considered their errors. Believing that the proposal of his right hon. Friend was quite consistent with maintaining the denominational character of Collegiate education, he considered it far more satisfactory than the proposal of the hon. Member for Brighton, and therefore gave it his most cordial support.

LORD NAAS said, he must congratulate the House upon the tone and temper of the present debate, as contrasted with the discussions which used in former days to excite so much religious animosity without attaining the object desired. The two proposals before the House were essentially and entirely antagonistic. The hon. Member who opened this debate was an undisguised, firm, and no doubt conscientious adherent of united education. He seemed to be ignorant, however, of the system of education pursued in the University of Dublin, and also as to the position it held in the opinion of the great mass of the Irish people. The hon. Member spoke of its existence as an insult to the Roman Catholic population, and said he did not believe that anything could be more conducive to the maintenance of ill-feeling between Irishmen than such an institution. In all the debates on this subject, that was the first time the existence of the Dublin University was put forward as an Irish grievance. So far from this being the case, there was not an Irishman who was not proud of that institution as it stood, and who would not be sorry to see it altered or overthrown. He believed that it had taken hold of the affections of the great body of the people, and that no feeling against it really existed. Trinity College represented the religious opinions of the vast majority of those classes who were likely to take advantage of University education. The position of the people of Ireland in regard to Trinity College was different from their position in regard to primary education. A large majority of that portion of the population who are in a position of life to take advantage of primary education were Roman Catholics. An equal if not a greater majority of those whose means enabled them to give their sons a University education did not profess the Roman Catholic religion. He fully agreed with the hon. Member for Brighton — there was no country in the world where it was more desirable to mitigate and assuage those sectarian feelings that had existed for so many years. Of all the institutions of Ireland, however, Trinity College had done the most to mitigate and assuage those hostile feelings. Long before any system of University education had been thrown open to all religious persuasions, Dublin College set an example of liberality and unsectarianism which had been gradually followed by all the great educational institutions of the country. For eighty years the degrees of the University had been thrown open to all religious denominations. For the fair consideration of the question it would be necessary to remind the House very shortly of a few of the features which that institution possessed. Trinity College was founded a great many years ago—in the reign of Elizabeth. Anybody who would take the trouble to look back to history must admit that the institution was founded originally for Protestant purposes, and had maintained an essentially Protestant character ever since. It had maintained that character in the best sense. For nearly 100 years it had evinced greater liberality and toleration towards all other sects than any other *quasi*-sectarian institution. But Trinity College occupied a peculiar position. The College and University were intimately interwoven throughout its constitution and teaching. It stood almost alone in this respect among our Collegiate institutions. To that circumstance he attributed a great portion of its success. The endowments nominally belonged to the College. But the Collegiate and the University systems being so closely interwoven together, these endowments contributed almost as much to the University part of its objects as to the Collegiate. It would be most difficult to separate the two. The governing body of the University was selected from the senior Fellows, of whom the number was seven. Though the junior Fellows were called Fellows, that term, as known in the English Universities, did not represent the position they held in the Dublin University. There the Fellows, as a class, were almost all occupied in professorial and tutorial duties. A great portion of the most important educational duties of the College were performed by Tutor-Fellows. The result was satisfactory, and the standing of the College in learning was extremely high. At the close of their report describing the general aspect of the College, in 1853, the Commissioners said they found that improvements of an important character had been introduced from time to time by the authorities of the institution, and that the general state of the University was highly satisfactory. They spoke very favourably of the efficiency of its different departments, and also of the spirit of improvement which had always been evinced by its authorities in effecting from time to time changes for the purpose of adapting it to the requirements of the age. That was the conclusion come to after an inquiry of the most searching kind, conducted by able men well acquainted with the general subject of University education, not only as to every phase and mode of the education given in the College, but also as to its financial arrangements, its discipline, and, in short, everything connected with the establishment. Contrasting that opinion with the opinion expressed about the same time with regard to similar bodies in the country, no higher testimony was ever borne to the efficiency of a great educational institution. The principal benefits which it now offered to its students in their undergraduate course were those seventy foundation scholarships which formed part of the subject of the Motion of the hon. Member for Brighton. It was true that those foundation scholarships were by the fundamental rules of the College close scholarships, inasmuch as they could be held only by members of the Established Church. But as little importance had been attached to that circumstance, he would not allude to it further than to say, that if the opinion of Parliament was that an alteration ought to be made in respect to those particular scholarships, he greatly doubted whether within the walls of the College itself any great objection would be raised to the opening of those scholarships. He had no direct authority to speak on this subject, but his conviction was that a great change of opinion had taken place as regarded those scholarships. He should not be surprised if the authorities of the College themselves, at no distant day, were to propose to Parliament that they should be thrown open generally to all religious denominations. It having, however, been felt that there was an objection to so large a number of those scholarships being confined to members of the Established Church, a few years ago sixteen new scholarships were founded. Those scholarships were practically open to Dissenters and Roman Catholics only, because they were given only to those of a different religion from that of the Established Church who qualified for the other foundation scholarships, but were unable to take them. Out of the whole sixteen only ten had been occupied, that number being found to be enough for those who offered themselves for examination. In addition to those scholarships there were lately founded fourteen new sizarships, open to all religious denominations. Within the walls of the College there was no desire, and no rule existed, to prevent any person of any denomination whatever from taking the fullest advantage of all the education offered. The only things, from which those who did not belong to the Established Church were debarred were the Fellowships. Not only were the great educational prizes to which he had referred offered by the University to men of all denominations, but a great number of the professorships could also be held by persons not connected with the Established Church. He did not wish to conceal from the House that the most important and valuable professorships must still be held by Fellows and members of the Church of England. But out of thirty-three professorships twenty-two were open to persons of all denominations. The professorship of one particular branch of study, in respect to which it might be thought that some jealousy might be excited—namely, political economy, was now held by a Roman Catholic. Hon. Gentlemen may smile; but in some educational institutions he could mention, a Protestant professor of political economy would be looked upon with considerable suspicion. Last year the medical professorships were also thrown open to all religious persuasions, and an Act was passed for that purpose. It was the desire of the University to choose the best men for those positions. The absence of Dissenting and Roman Catholic professors arose from the fact that they did not present themselves for election, and, in fact, Roman Catholics do attend in some number, for with regard to the students, the average number of Roman Catholics who during the last few years had generally been found going through the undergraduate course was about fifty. Some of the most eminent Roman Catholics of our day had received their education within the walls of Trinity College, Dublin. That had been the case with six out of the nine Roman Catholic Judges now on the Irish Bench. It was, therefore, a mistake to say that no mixed education existed in that institution. Not only did a mixed education exist there, nearly to the same extent as in some of the Queen's Colleges, but it was probably increasing. It was far more real and effective than anything of the kind to be found outside its walls. The students of different creeds met and dined together. They united in all their sports and their studies. The education was real, practical, and different from that of any other institution. Speaking generally, there were in Ireland three systems of education in operation—the denominational, the united, and the mixed, which latter in many respects combined the principles and advantages of the other two. The denominational would be found in the diocesan schools, the schools of the religious orders, and, in its purest form, in the College of Maynooth; the united, in the vested schools of the National Board, in their model schools, and also in the Queen's Colleges; the mixed system, in the non-vested schools and in Trinity College. Everybody must admit that the combination of the united and the denominational systems had, of the three systems, worked most successfully. At the present time about 170 Bachelors of Arts took their degree in Trinity College; more than half of the whole number of those who took their degree at the London University. The Motion of the hon. Member for Brighton (Mr. Fawcett) would, if carried, entirely revolutionize a system which operated so well, and for that reason it was one which the House ought not to adopt. The difficulties in the way of carrying out such a plan as that proposed by his right hon. Friend the Member for Limerick (Mr. Monsell) appeared to be almost insurmountable. The first difficulty was that those Colleges which would be affiliated to the University would of course be held to be entitled to have a share in its Government, and to take a considerable part in the arrangements connected with it. He did not deny the great advantages that a single University would possess if its institution was possible; but, looking at the past history of Ireland, he had great doubt whether the governing body of a University composed of men entertaining totally different opinions on the subject of education would work satisfactorily. He would take, for example, two men, who were, perhaps, the best types of their respective classes in Ireland, the Provost of Trinity College—one of the most distinguished men who ever held that office—and the President of Maynooth. He would put it to the House whether those two men, possessing, as they did, great attainments, but being also men of very strong political and religious opinions, were likely to act harmoniously in the arrangement of any particular course or system of education. He did not believe that if a University were to be established in Dublin, based on the system which prevailed in the London University, it would find favour with the Irish people. A feeling of considerable mistrust would be excited, and it might be found that an efficient system of University instruction had been destroyed, while no other likely to be generally acceptable was supplied. But there was another and very important consideration connected with this question, which his right hon. Friend did not touch. He could hardly admit the accuracy of his right hon. Friend's historical researches when he said that in its origin Trinity College was not intended for Protestant teaching. Within that establishment was to be found one of the most efficient theological schools in the United Kingdom. The mission of Trinity College had always been to give a sound literary and theological education to candidates for holy orders in the Established Church. He did not see how a College, one of the main objects of which was to carry on combined literary and theological education, could be turned into a secular University. Suppose it were suggested to affiliate Maynooth to a non-sectarian University, did the right hon. Gentleman think the heads of the College would consent? Would such a proposal be tolerated for a moment? With regard to Maynooth, according to the views entertained by all the Roman Catholic authorities on education, the education of men intended for the ministry of the Roman Catholic Church was necessarily of a more secluded and isolated character than the education of ministers of other creeds. Roman Catholic Divines objected to clerical education being mixed up with secular education, particularly towards the close of the academic course. With us it is quite different. He thought that great good results from students of Trinity College taking their secular education with other students. He felt convinced that if the proposal of his right hon. Friend were carried out, feelings would be aroused which would lead, he felt confident, before long, to the establishment alongside Trinity College of a clerical College, in resorting to which the students of theology would be deprived of those advantages they enjoyed under the present system. There were other objections to the proposal, but he would not weary the House by entering into them. He by no means wished to contend that there was not much in the question which was not worthy of the gravest consideration. University education in Ireland was not in a satisfactory position. The House would give the present Government credit, as they had given their predecessors credit, for an earnest desire to grapple with the difficulties by which the subject was beset. He felt at the same time convinced that Parliament would take an erroneous course if it were to sanction the overthrow of an institution which for centuries had worked nothing but good, unless it were prepared to set up in its stead some other which would commend itself to the unanimous approval of the Irish people. This matter had received and would continue to receive the most anxious consideration of the Government, and he was certain that any proposal they might bring forward would be received with the greatest frankness by the House. He believed that it would be possible to frame some measure which would effect the desired object without disturbing the existing institutions. Experience showed that there need be no fear that new educational establishments in Ireland would interfere with the existing Universities. He had not the same objection as his right hon. Friend to the existence of two Universities in the country. No fewer than four Universities existed in this country, and University teaching is daily on the increase. Fears were expressed when the Queen's Colleges were established that they would interfere with Trinity College; but Trinity College had in no degree suffered in consequence of the establishment of the Queen's Colleges, the number of degrees taken in the former having rather increased than diminished since the establishment of the latter College. The question for the decision of the House and of the Government was whether, if it should be found impossible to unite in one existing institutions, we might not be able to establish some new University which would supply the want now felt by those who were unable to avail themselves of Trinity College. It would be a bad way to solve this question to upset the latter, which had taken a firm hold on the affections of the great mass of the Irish people, and might be much more for their advantage to supplement or to add than to overthrow and destroy.

MR. MONSELL said, that the noble Lord had asked him whether he would approve of the students at Maynooth being examined by a non-sectarian examiner. He had to inform the noble Lord that a great number of students at Maynooth had intended to go up for examination to the Queen's University under the supplemental Charter.

MR. LAWSON said, that as he was a graduate of Dublin University he could not be thought to have any hostility to that University. He thought that the attention of the House had been somewhat called away from the original Motion by the Amendment which had been proposed. The proposal of the hon. Member for Brighton was that the Scholarships and Fellowships of Trinity College should be thrown open to all classes of Her Majesty's subjects. The right hon. Member for Limerick had defined Trinity College as a denominational institution, whereas the noble Lord had described it as being open to all Her Majesty's subjects. What was the real state of the case? Only fifteen or twenty Roman Catholics in each year had felt themselves at liberty to avail themselves of the benefits it afforded. The objection entertained to this College by Roman Catholics was that they were excluded from emoluments open to members of the Established Church. He could not see what objection there was to permitting Roman Catholics to hold Scholarships which involved no religious duties. While Roman Catholic scholars remained non-foundation scholars they had no right to vote in the election of Members for the University. The objection to throwing the Fellowships open to Roman Catholics was that the Fellows were engaged in training students intended for holy orders. Why should an arrangement of that character be perpetuated? He recollected one case of a distinguished mathematical scholar, who was tutor to many who had become Fellows, but who had been debarred from becoming a Fellow himself in consequence of his being a Roman Catholic. The Fellows ought to be relieved from the obligation of taking orders, and should give their undivided attention to their own departments of science. Fellowships were granted to those who had distinguished themselves in certain branches of learning. Therefore, they should be conferred irrespective of the religious persuasion of those whose industry and talents rendered them worthy of receiving such rewards. On what public grounds could the exclusion of Roman Catholics and Dissenters be any longer upheld? In the time of Queen Elizabeth the theory was that Ireland was, or would shortly become, a Protestant country. But it was necessary now to deal with the facts of the present day, when 77 per cent of the population were Roman Catholics and 23 per cent Protestants. Great benefit would accrue by placing the University of Dublin on a broader basis. It was too closely connected with the Established Church of Ireland, and the great majority of its Members belong to that Church. If the

University were liberated from that influence it would more worthily fulfil its destinies as an educational institution. As to the question of Irish education, he was glad to hear the noble Lord avow that it should not be allowed to remain in its present condition, which was eminently unsatisfactory. The only College at present connected with the University of Dublin was Trinity College; but why might not the sphere of the University be enlarged so as to include the Queen's Colleges and other institutions? He saw no reason why a University should not be established which should be open to all comers. He strongly deprecated the idea of multiplying Universities in Ireland. He thought it would tend to degrade the standard of education. The Roman Catholics of Ireland were entitled to say that they would not send their children to be educated in Colleges of which they conscientiously disapproved, and that if they were unable to obtain academical education in any other way they ought to be allowed to establish a University of their own. He believed, however, it would be better not to establish such a system. The plan shadowed out this evening would, he thought, commend itself to the consideration of all candid and sensible men, because it offered a solution of a difficulty which had created more ill-feeling in Ireland than any other question of modern times.

Sir FREDERICK HEYGATE said, he had presented a petition signed by 2,090 influential Protestants against any alteration in the rules of Trinity College. He thought the present Motion would be regarded in Ireland as an attack upon Trinity College, which had done as much as, if not more than, any other educational institution in Ireland. Whatever might be argued, the popular belief was that the foundation of Trinity College was Protestant. No one could attribute to it the illiberality which had been charged against the Universities of Oxford and Cambridge. In the year 1793 the degrees of the University of Dublin had been thrown open to all religious denominations, and eight or nine years ago seventeen Scholarships were thrown open irrespective of religious creed. It ought therefore to be in fairness allowed that the University of Dublin had displayed greater liberality than either Oxford or Cambridge. The average number of admissions to Trinity College had been over 300 annually during the last four years. In making an attack on an institution of this kind it was necessary to prove that its foundation had been a failure. No such proof had been given. Trinity College must be looked upon very much as a place for the education of the clergy of the Established Church. Even if, as had been suggested, the Established Church might cease its connection with the State in Ireland, there would always be a number of its clergy there who would require an education. The question was, where were they to be educated? Roman Catholics were allowed the exclusive use of Maynooth, with its endowment of £30,000, in addition to the £20,000 voted for the Queen's College. The Clergy of the Established Church in Ireland must have some place for their education, and if Trinity College were to cease to be denominational the result would be that the clergy of the Established Church, and those who thought with them, would no longer send their sons to be educated there. If there was to be a separation between the clergy and the laity in their general University education, the result would be disastrous to both parties. In correction of the statement that the endowment of Trinity College amounted to £90,000, he wished to observe that the net endowments amounted to only £34,000. He could not but think that great difficulties would arise from altering the governing body of the University of Dublin. Though he was not exactly in favour of a Roman Catholic University, he was quite prepared to consider the question whether it would not be better to establish such an institution rather than admit Roman Catholics to the governing body of the University of Dublin. They might fairly assume that if Roman Catholics were admitted to Fellowships and to the governing body, the fundamental principles of the University of Dublin would be changed. Their experience of what had taken place with reference to the national education system in Ireland ought to be sufficient to convince the House of that. With regard to the English Universities, it had always been urged, on the part of Dissenters, that though they were able to take degrees at Cambridge they were unfairly prevented from obtaining Fellowships, on the ground that a Fellowship would give them power over the government of the University. But even assuming that they obtained a large number of Fellowships, there would be so great a diversity of opinion among the different Dissenting Fellows that he did not believe there would be any danger of concerted action among them to alter the character of the religious education of the place. In Ireland, however, it was different. The Dissenters were almost wholly Roman Catholics, and they all knew what uncompromising and conscientious views Roman Catholics took of all religious matters. If they obtained a footing in the governing body of the University they would not be satisfied, if they were sufficiently strong, until they had effected a fundamental alteration in the teaching and government of the body. He would ask hon. Members to pause before they introduced such an element of discord into the University. He hoped that if the hon. Member for Brighton thought that questions like these ought to be connected with the everlasting subject of the ills of Ireland, he would make a tour of that country and inform himself by the light of his intelligence, rather than by what he might read in certain newspapers, or hear from some hon. Gentlemen in that House.

Mr. BRUCE moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Henry Austin Bruce.*)

Mr. KINNAIRD said, it would be a great pity to adjourn the debate after the discussion that had taken place. The sense of the House ought to be taken upon the Motion.

Mr. GLADSTONE said, he would not join in deprecating an adjournment of the debate if the feeling of the House was that the question required further consideration, and he understood there was a general feeling that it ought to be further considered. As, however, this was the 18th of June, and as the House was occupied with other subjects of interest and importance, he was not very sanguine as to the period of the Session at which it might be practicable to procure a day for resuming the discussion. From a statement made that evening—important as giving a practical turn to the discussion—it appeared to be the view of Her Majesty's Government—though one not before expressed—as well as of the great majority of the Members on the Opposition side of the House, that the state of the higher education in Ireland was such as to call for a speedy interference on the part of Parliament. That being so, and there being a difficulty in getting an opportunity for the further discussion of the matter within the walls of that House, he hoped that Her Majesty's Government would keep in view the urgency of the question. It was time that in some at least of these Irish questions progress should be made. The greatest opposition had been offered to the plan proposed by the late Government. Another plan had been brought forward by his right hon. Friend the Member for Limerick (Mr. Monsell), and a third had been glanced at by the noble Lord (Lord Naas) and the hon. Baronet (Sir Frederick Heygate). While one of those schemes might have his preference rather than either of the others, yet, keeping in view the fact that real civil disabilities were at present inflicted on the majority of the inhabitants of Ireland in connection with the University question, he would rather see the adoption of any one of the plans rather than an indefinite postponement of all interference in the direction of a removal of those disabilities. At the same time, glancing at the proposal favoured by the last speaker, and apparently by the Government, he entreated them to consider well the serious inconveniences which would follow a multiplication of Universities, which, if united together, might be able to give a valuable degree, but which severed might fall into secondary rank. It was not the mere name nor its power of granting degrees which secured respect for a University and the honours it conferred. Until recently the Scotch Universities were an example of this. There was nothing more ruinous to Universities than competitions, because it was a competition downwards. As Universities were multiplied, each became tempted to lower its standard in order to attract pupils. It would be impossible to keep the standard high, except under such circumstances as those surrounding the University of London, which had the best examiners, who were above the imputation of low and unworthy motives, and in the cases of the Universities of Oxford and Cambridge, where the comparative competition between the Colleges and the great variety of bodies comprised within the precincts of the University supplied those elements of diversity and impartiality absolutely necessary to maintain the standard of examination. If the Dublin University Charter were altered, it should be altered in such a way as to be a real boon to the people, by becoming possessed of the power to grant degrees which should command the confidence of the public. That desirable object could not be attained if Ireland's University were not entitled to public confidence and national consideration.

Mr. NEWDEGATE said, it appeard to him that the party opposite (the Opposition) were dealing in the most inconsistent manner with the question. It was only that morning that they had voted against the union of the University of Durham with the University of London. They had in that case supported the principle of exclusion. At present they sought to establish the principle of inclusion and fusion, irrespective of all religious considerations. That was an awkward mode of proceeding, and hon. Gentlemen opposite were beginning to feel the difficulties of their position. A late able and witty Member of that House once stated that Liberalism was antagonistic to religion. The Gentleman to whom he was referring was the late Mr. Henry Drummond. He justified his statement by observing that Liberalism was *quod liberat*—that which loosens; while religion was *quod religat*—that which binds. He added that those who objected to his allegation must quarrel, not with him, but with the dictionary. He (Mr. Newdegate) believed that that difficulty pinched the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) and all his party. They yielded to the demand of the Roman Catholics for strict exclusiveness at Maynooth and in the Roman Catholic poor schools of this country; yet they would not allow the same principle to be extended to the Protestants, who constituted the great majority of the population of the United Kingdom. They wanted to deprive the Dublin University of whatever remained of its exclusiveness, because it was a Protestant, not a Roman Catholic reservation. The Liberal party were in the difficulty of having no principle to guide them. Who ought to lead that party? A consistent Jew, a consistent Mahometan, who was a consistent Unitarian, or a consistent Atheist, who had no religion whatever? At present they were dragged hither and thither by the Roman Catholics, who thereby involved them in a maze of inconsistency. Having no principle of their own they were obliged to follow that body, and in doing so utterly to violate that principle of equality for which upon other occasions they so strenuously contended. Their position was thus infinitely absurd. He could easily understand that the right hon. Member for South Lancashire wished for an adjournment which might afford him an opportunity of considering the embarrassing condition to which he and his party were reduced. He (Mr. Gladstone) wished for time in order to consider how to escape from or to evade the fathomless difficulty into which compliance with the arbitrary demands of the ultramontane Roman Catholics had plunged him.

Mr. BAGWELL said, the Liberal party's object was clear. The University was sectarian, and they desired to make it national.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

MIDDLESEX REGISTRY.—RESOLUTION.

Mr. CHILDERS said, that he wished to call attention to what he conceived to be irregularities in connection with the Middlesex Registry. His object was to put a stop to the levying of illegal fees by sinecure officers, and to prevent any new appointments to such offices being made. Before the Acts of 1838 and 1842, the Superior Courts of Law and Equity were full of sinecure offices, and the preamble to the former Act recited that they ought to be abolished, and establishments of effective officers substituted. The Registrarships of the Middlesex office were among these sinecures, and the Acts empowered the Lord Chancellor and the Chief Judges to appoint, on the death of the Registrars, barristers or attorneys of certain standing to the offices. During the last twenty-three years, accordingly, all the present Registrars were so appointed. But these gentlemen, who were at the present moment receiving £2,400 each, claimed to be equally holders of sinecures, and never discharged any duty except in the absence of the deputy. That was not all. Under the Act of Queen Anne the fees to be paid consisted of 1*s.* for registering every memorial not exceeding 200 words, and 6*d.* for every 100 words additional, so that on a memorial of 500 words, the average length of those registered in Middlesex, the fee receivable would be 2*s.* 6*d.* Instead of this, the Registrars had been in the habit of receiving 7*s.* as a minimum fee. Consequently, instead of about £4,000, which the number of memorials registered would entitle them to receive, no less than £12,000 a year was being paid to them, of which only £2,000 went to cover office expenses. They had also neglected to keep the alphabetical index for each parish, required by the Statute; and, instead, what was called a "lexicographical index" had been established, for consulting which a fee of *2s. 6d.* was charged on every occasion, but the authority for so doing he could nowhere discover. It was the duty of the Government to inquire into these abuses and to remedy them. Indeed he had the authority of some of the first solicitors in England for saying that the Registry at the present time was utterly valueless for the purpose of its institution; and that property would be quite as valuable in the country if it did not exist. With that object in view he begged to move the Resolution of which he had given notice.

Motion made, and Question proposed,

"That it is incumbent on Her Majesty's Government to institute inquiries with a view to the reform of the Middlesex Registry; and that, pending such inquiries, steps should be taken to put a stop to the receipt of illegal fees by the sinecure Registrars, and to prevent any appointment to the office of Registrar on a vacancy occurring."—(*Mr. Childers.*)

MR. GATHORNE HARDY said, it formed no part of his duty to defend the institution of those offices which were now attacked. But it was only fair towards the Registrars to say that they did not admit they were receiving illegal fees. From the Returns which have been moved for there could be little doubt that these gentlemen were excessively paid, and none whatever that their offices were practically sinecures. It was a mistake, however, to suppose that they were appointed only three years ago. They had been in office for long periods, under successive Governments, and it would be impossible to deal with their revenues without previous inquiry. One of the Registrars had called upon him to say that they had no objection to inquiry; but that they did very strongly object to allegations that there had been anything illegal in their proceedings. The business of the registry might advantageously be transferred to the new Land Registry Office; but it was impossible any action could be taken this Session in that direction. If the hon. Member for Pontefract would omit that portion of his Motion which tended to prejudge the question, the Government would offer no opposition to the first part, calling for inquiry.

SIR ROUNDELL PALMER said, his hon. Friend the Member for Pontefract had done excellent service to the public in bringing forward this subject, and his statements were entirely borne out by the admission of the Registrars, that the scale of fees had been altered by arrangement some years ago, without any authority for the change. The fees were regulated by the Act of Queen Anne; and in spite of the fact that no authority had been given by any more recent statute, the fees had since been increased. His hon. Friend had been justified in his Motion, but, after the statement which had fallen from the right hon. Gentleman, he would suggest to his hon. Friend the advisability of withdrawing the latter portion.

THE ATTORNEY GENERAL said, he had stated several weeks since that the question was a much larger one than was stated by the hon. Gentleman. It embraced not only the appointments, the receipt of certain fees, and the transacting of the business by deputy, but also the mode of registry adopted, and kindred matters. The power of appointment was vested in the Chief Judges of the Common Law Courts. It would be impossible to introduce a Bill upon the subject during the present Session. The matter required careful attention, and something might, he thought, be done next Session to put the Middlesex Registry upon a proper footing. The only mode of checking the payments now made was by bringing in a Bill. It was, of course, impossible to indict these gentlemen for taking extortionate or illegal fees, and unless such a Bill were brought in it would also be impossible to leave any vacancy which might occur unfilled. Partial legislation was greatly to be deprecated. The evil might, in the meanwhile, be partly obviated, in case a vacancy should occur, by the successor being made to fully understand that his appointment would be subject to any alteration which might be made in the law.

MR. GLADSTONE said, he thought that in case of any such appointment the person so appointed should distinctly understand that his appointment was subject to any change that Parliament might be pleased to make, otherwise vested interests extremely difficult to deal with might spring up.

MR. CHILDERS said, he would withdraw the latter portion of his Motion.

Motion, by leave, *withdrawn.*

Resolved, That it is incumbent on Her Majesty's Government to institute inquiries with a view to the reform of the Middlesex Registry."—(*Mr. Childers.*)

TESTS ABOLITION (OXFORD AND CAMBRIDGE) BILL—[Bill 16.]

(*Mr. Coleridge, Mr. Grant Duff.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. WALPOLE said, that he had to present a petition from the University of Cambridge, signed by thirteen heads of houses, forty-two tutors and lecturers, thirty-four professors, and seventy-four other residents, being Masters of Arts, against the passing of this Bill. In the petition, which would have been more numerously signed at another period of the year, the petitioners called the attention of the House to the fact that only a few years had elapsed since very important changes had been introduced in connection with the University, and that the Commissioners appointed to consider the subject, while recommending strongly that those who were not members of the Universities should be admitted to all the educational privileges, also recommended that the connection between the Universities and the Church of England should be maintained. They further stated that those recommendations were embodied in an Act of Parliament, and that in consequence of that Act persons not members of the Church of England had been admitted to the privileges of the University, with the exception of admission into the governing body and offices hitherto held by members of the Church of England. They further stated that nothing had of late years occurred to warrant any fundamental changes in the constitution of the University, and they prayed the House to sanction no more alterations, such as those which had in some instances already prejudicially affected the interests of the University. He moved that the petition lie on the table.

Motion *agreed to.*

Sir MICHAEL HICKS-BEACH said, that the House had assembled the previous afternoon at two o'clock, and would meet that morning at twelve o'clock. He hoped therefore that the hon. and learned Gentleman who had charge of this measure would not press it to a division at that hour (a quarter to one o'clock), especially as it had not been discussed since its extension to the University of Cambridge.

Mr. COLERIDGE said, he should be extremely unwilling to do anything against the wishes of the House, but the Bill had been read a second time, and had now arrived at its third stage. Hon. Gentlemen opposite as well as on his side of the House had expressed themselves on the subject, and the House knew everything that was to be said on the subject. Therefore, as this was the third reading, he hoped the House would go to a division on the question.

Mr. HENLEY moved that the House do now adjourn.

Mr. SELWYN said, he seconded the Motion. His hon. and learned Friend seemed to have forgotten what had passed at the second reading. The Bill then went into Committee, and then there was a Motion to extend it to the University of Cambridge. He then endeavoured to raise a discussion on the Bill, but his hon. and learned Friend stifled all discussion. This was the first fair opportunity there had been for discussing the present measure. The Bill had been debated with reference to Oxford, but not with reference to Cambridge. They had been told an hour ago that it was too late in the evening to discuss the subject of the Dublin University, and now they were told it was not too late to discuss the Oxford and Cambridge Tests Bill.

Mr. GRANT DUFF: I would make an appeal to the generosity of the right hon. Gentleman opposite. The Bill before us has been four times discussed by this and by the late Parliament. On one occasion it was only defeated by a majority of two on the question that this Bill do pass. Everything that can be said on either side has been said. The arguments for and against are worn threadbare. My hon. Friend who has charge of the Bill put it off from the 4th of June to to-night to meet the convenience of the hon. Baronet, who now insists on delay. It is surely an occasion on which we may ask, with good reason, the Government to give us a day.

Mr. BERESFORD HOPE denied that, as the hon. Member for the Elgin Burghs asserted, the question was discussed threadbare. On the contrary, this was the first time the Bill had ever come on for discussion at all. The question which had hitherto been discussed, whether threadbare or not, was the abolition of tests at Oxford. The one now before them for the first time was the abolition of tests at Cambridge as well as Oxford. As a Cambridge man, he protested against Cambridge being called on in that manner to follow suit to Oxford. It was as great and as large an University, and had its own independent interests. Not only was this matter before the House for the first time, but they were called upon to revolutionize Cambridge before the Bill which was to do this had even been printed. He had asked for a copy of it in the Note Office, and what he received was a copy of the original Oxford Tests Abolition Bill.

MR. BRIGHT: I think there is reasonableness on both sides, and perhaps there may be a way out of the difficulty. The hon. and learned Gentleman who has charge of this Bill is afraid, and I think with reason, that there may be no other occasion this Session on which the third reading can be taken. Those who are determined to oppose it at all hazards, if there be such, may be pleased with that view of the case. But, considering that this difficulty arises from the course which the Chancellor of the Exchequer has taken—a course of which I do not complain, and to which the House has acceded—of devoting so much time to the great measure which is in the hands of the Government, it seems a pity that a measure of this nature, brought in by a non-official Member, should suffer from that cause. Therefore, perhaps the right hon. Gentleman would consent in some way or other to make some arrangement by which at some not distant day a discussion and a division might be taken. I admit that at this hour—nearly one o'clock—the Bill cannot be satisfactorily discussed. The House has given up the day and the evening sittings, and almost all the time of the week, to the Bill of the Government. Surely it is only fair that the Government should in compensation, in a case of this nature, make some arrangement with my hon. and learned Friend in order that a discussion may take place, and that the matter may be settled by the final decision of the House. If the Chancellor of the Exchequer will adopt that very reasonable course, there will be no discussion now, and all of us may go home to bed.

MR. NEWDEGATE said, he did not see why the hon. Member for Birmingham should be afraid of leaving this measure to be discussed in a reformed Parliament.

THE CHANCELLOR OF THE EXCHEQUER said, he should be most happy, were it in his power, to assist the hon. and learned Gentleman by finding a day when the third reading of this Bill might be taken; but it was quite out of his power in the present state of the public business. The Government were extremely thankful to independent Members for giving up part of Tuesdays and Fridays, but a great portion of those days still remained, with the Wednesdays, at the disposal of independent Members. It would be only misleading the hon. and learned Gentleman if he gave any vague promise. It would be quite illusory—he saw no prospect of making any such arrangement. He did not wish to deceive the hon. and learned Gentleman by holding out a promise that the measure could be brought on otherwise than in the natural course of business. At the same time, if it were in his power to oblige the hon. and learned Gentleman, or any other Member, he should be glad to do so.

After further observations,

Motion made, and Question put, "That this House do now adjourn." — (*Mr. Henley.*)

The House *divided*:—Ayes 80; Noes 95: Majority 15.

Question again proposed, "That the Bill be now read the third time."

MR. BERESFORD HOPE moved that the debate be adjourned.

MR. COLERIDGE said, that he would not trouble the House to divide.

Motion *agreed to.*

Debate *adjourned* till *Wednesday*, 26th June.

LIFE POLICIES NOMINATION BILL.

On Motion of Mr. SHAW LEFEVRE, Bill to enable Persons to secure to their Wives and Children the benefit of Assurances on their Lives by nomination endorsed on the Policy, *ordered* to be brought in by Mr. SHAW LEFEVRE, Mr. HIBBERT, and Mr. THOMAS HUGHES.

Bill *presented*, and read the first time. [Bill 201.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, June 19, 1867.

MINUTES.]—Public Bills—*Ordered*—General Police and Improvement (Scotland) Act, 1862, Provisional Order Confirmation.*

Second Reading—Sunday Lectures [106], *negatived;* Linen and other Manufactures (Ireland)* [183]; Blackwater Bridge* [156].

Committee—Industrial Schools (Ireland) (*re-comm.*) [102] [R.P.]

Considered as amended—Local Government Supplemental (No. 4)* [191].

Third Reading—Drainage and Improvement of Lands (Ireland) Supplemental* [199], and *passed.*

Withdrawn—Municipal Corporations Charities* [166].

STREET OUTRAGES — PRESERVATION OF THE PEACE—THE MILITIA.

QUESTION.

Colonel BIDDULPH said, in the absence of his hon. Friend (Mr. Owen Stanley) he would beg to ask the Secretary of State for War, If it is proper for Colonels of Militia to march their regiments through the streets of London without the authority of the War Office, for inspection or other important duties; if the law, as laid down by Archbold, *Justice of the Peace*, page 347, vol. iv., as to the preservation of the peace by private persons and the military is correct; if Colonel Wilson was not in duty bound to assist the police, and apprehend the persons he saw committing outrages and robbery on respectable persons at St. James's on the 3rd of June; and if he will issue such orders as will define the duties of military men under such circumstances occurring again as are related in Colonel Wilson's Letter to *The Times* of the 12th June?

Sir JOHN PAKINGTON said, in reply, it was the duty of the War Office to lay down routes for Her Majesty's Forces when on the march, but it was no part of the duty of the War Office to lay down routes for Militia regiments. They were entirely under the authority of the Lords-Lieutenant, and the War Office never interfered in any of the affairs of a Militia regiment, except through the Lieutenant Colonel. In this case no communication had taken place between the Lord Lieutenant and the War Office. He need not remind the hon. and gallant Member that, except in relation to things immediately connected with the business of the Secretary of State for War, it was no part of the duty of the War Office to preserve the peace of the streets or parks of London. The second Question of the hon. and gallant Member ought rather to have been addressed to the Law Officers of the Crown. It was no part of his (Sir John Pakington's) official duty to express any opinion with regard to the rules laid down by Mr. Archbold in his valuable and carefully-prepared work, but he had no reason to doubt the correctness of the law there laid down. As to the third Question, not having been present, he did not know what actually took place, nor what Colonel Wilson might have seen. He should not be justified, when answering a question, in attempting to define the exact circumstances under which it may become the duty of a commanding officer to merge his military functions in his general duty as a citizen. As to the last Question, he was informed that there was no uncertainty about the present state of the law on this subject, and it was not his intention to frame any new regulations.

THE BIRMINGHAM RIOTS.—QUESTION.

Mr. MONSELL said, he would beg to ask the Secretary of State for the Home Department, If he has any recent information from Birmingham? He (Mr. Monsell) had received a letter stating that apprehensions were entertained of an attack upon the houses of Catholic Priests and the Catholic Churches. He would also ask whether the Mayor of Birmingham had applied for any advice from Her Majesty's Government; and, if so, what instructions have been given to him?

Mr. GATHORNE HARDY said, he had received a letter from the Mayor of Birmingham, dated 11 o'clock on Tuesday night, and it stated that all was quiet, and that the troops were being withdrawn. He (Mr. Gathorne Hardy) presumed from that that the disturbances had come to an end. The real culprits had not been very numerous, but they had acted together. Although there might have been 50,000 or 100,000 persons in the streets, the numbers who were really disposed to break the peace did not apparently exceed 200. No legal proceedings could however be taken in respect of the language which had been used, because it would not of itself necessarily lead to a breach of the peace; but he could not say how much he regretted that such language had been used. It was a most deplorable thing that language should be applied to a large body of persons seeming to impute that they were a body of thieves and murderers. The language which was said to have provoked the outbreak could not be too strongly condemned.

SUNDAY LECTURES BILL—[BILL 106.]

(*Viscount Amberley, Mr. J. Stuart Mill, Mr. Coleridge.*)

SECOND READING.

Order for Second Reading read.

VISCOUNT AMBERLEY said, that in moving that this Bill be read a second time he wished to state the substance of a petition he had to present in its favour, to which the names of many eminent scientific and literary men were attached. The petition stated that they saw with pleasure in January, 1866, that St. Martin's Hall was opened on the Sunday evening for the delivery of lectures by gentlemen of eminence, and that they were appreciated, and that the Hall could not contain the thousands seeking admission. That certain parties interfered, and by threatening the lessee with a prosecution under an Act passed for a wholly opposite purpose, the 21 *Geo.* III., c. 49, succeeded in closing the doors, and had since failed to redeem the pledge given of testing the legality of the Sunday evening addresses. That in January, 1867, St. Martin's Hall was again opened for the same purpose, and with the same successful result; but was again closed by the interference of the same parties commencing proceedings under the said Act, 21 *Geo.* III., c. 49. Having closed the Hall, they now showed no desire to carry the question to an issue. That places of a questionable character were open on the Sunday, and they prayed that so much of the Act of *Geo.* III. as could be construed to prohibit the delivery of addresses on science and nature on the Sunday evening, toward the expenses of which the audience might contribute by payment for sittings, might be repealed. Having on a former occasion explained the circumstances under which he had introduced the Bill, he would only state the amendment it proposed to effect. The Act of *Geo.* III. was the work of Bishop Porteus, and it was recommended by him for two purposes—First, to put a stop to places where theological discussions were held; and, secondly, to suppress places of public amusement which were said to exist at that time, and which he considered to be injurious to public morals. The Act was for these two objects, and no doubt it was perfectly effectual in attaining those objects. It was enacted that no place where money was paid at the doors, or tickets sold for admission, should be open for the purpose of debate or entertainment on Sundays. But that Act was never intended to apply to such a case as that of scientific lectures on Sundays, and he thought that it had been put to a use in stopping those lectures which its authors never intended. Without questioning the motive with which the Act was passed, he was far from saying that the Act itself was a right one. He did not think that it was, because it interfered with religious liberty. Nevertheless, it had been made to cover cases of a wholly different character, and which it was by no means intended it should cover. The meetings which took place at St. Martin's Hall were not held either for the purpose of theological discussions or of amusement, but this Act was brought forward by certain religious societies for reasons which he had never been able to understand—namely, that these meetings were in some way injurious, and ought to be stopped; and they succeeded in putting a stop to them, though they did not try the legality of the question. The Bill which he had introduced would only affect the first part of the Act, which related to discussions on the Lord's Day. That part of the Act relating to places of public amusement was left untouched by the Bill. The Act, if the Bill passed, would be so far amended as to permit a lecture to be given and speeches to be delivered on Sundays at places where money was paid for admission or where tickets were sold. Since this subject had last been before the House, he had considered the suggestion of the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) to refer the Bill to a Select Committee; and seeing that the subject was one with which hon. Members had not been made familiar by long previous debates, he was inclined to think that the suggestion was one which, if the House were disposed to accede to it, he ought not to resist. He could not help thinking that a Committee inquiring into all the circumstances, and listening to the evidence that would be adduced before them, would be disposed to think that the present Bill, instead of being too large, was rather too small—that it had been framed with a too cautious regard to what he might call the prejudices that existed upon this subject, and that a much more comprehensive measure might be safely introduced. There was one question which would engage the attention of that Committee, and that was the performance of sacred music on Sunday. He was unable to concive that there was anything in the performance of sacred music which could possibly be demoralising to the public, and which, therefore, it was necessary for that House to interfere to prevent. No provision was made in this Bill for the performance of sacred music, because it was thought that if such a provision were introduced it might be used as an argument by the opponents of the Bill, who would probably contend that the effect of the Bill would be to open on Sundays all places where musical entertainments took place. While he had no objection to the appointment of a Committee to inquire into this subject, he thought he was justified in asserting that the Reports of former Select Committees more than justified the introduction of this Bill, and that he might have founded upon their Reports a Bill of a much more extensive character. A Select Committee which sat in 1863 on the scientific institutions of Dublin, after hearing a good deal of evidence as to the expediency of opening such places on Sunday, reported in favour of several museums being opened after Divine service, observing that the principle had been applied to the Botanical and Zoological Gardens with the best advantage. A Select Committee which sat in 1854 upon public-houses went at considerable length into the question of opening national institutions of various kinds on Sunday, upon which they heard a good deal of evidence. They called attention to the fact of how few places of rational enjoyment were open to the people on Sunday which were calculated to serve as a counter attraction to public-houses, and stated that they had it in evidence that wherever such opportunities had been provided they had been eagerly seized upon, which led to the decrease of intemperance. The Committee remarked upon the impolicy of suffering the continuance of a law which prevented the admission of the public to places of rational recreation, and stated that it was not reasonable that the National Gallery, the British Museum, and other places of public instruction, paid for by the nation, should be closed upon the only day that it was possible for the majority of the people to visit them without serious loss. The Committee proposed that places of rational recreation should be opened after two o'clock, and recommended that the law should be so far abated as to enable the Lord Chamberlain or some other competent authority to determine what places it was expedient to have opened. That was a recommendation deserving of more consideration than it had hitherto received from the House. The Chairman of that Committee was the right hon. Member for Wolverhampton (Mr. C. P. Villiers), and the Secretary for War (Sir John Pakington) was a member. It had been shown by the evidence of Sir Joseph Paxton, given before that Committee, that Lord Derby had been in favour of opening the Crystal Palace on Sundays, and had granted a Charter for that purpose, but this obsolete Act of Parliament was brought forward to prevent that Charter being carried into effect. A difficulty arose with reference to the employment of the servants at the British Museum on the Sunday, and a suggestion that persons would volunteer for Sunday duty led to the introduction of a paragraph relating to the registry of such volunteers, which was carried by 5 against 2. The Secretary of State for War voted with the majority in that division. In 1855 and 1856 it was proposed to open the British Museum and the National Gallery on Sunday afternoon, and these Motions were supported by the noble Lord who was now Foreign Secretary (Lord Stanley) in speeches of great power and ability. In February, 1856, the noble Lord said—

> "Any attempt to force our own views upon others was in reality not to strengthen but to destroy their consciences. He dwelt on this, because half the social injustice committed, half the misery endured on earth, arose out of the manner in which a large proportion of mankind, in all ages and countries, had reasoned on this subject. They argued thus—'I think this or that act wrong; therefore my neighbour ought to think it wrong. I cannot control his thoughts, but I can and will control his acts, and I will make him act as though he agreed with me.' What were the fruits of that principle? Oppression on the part of the strong, hypocrisy in the timid, persecution undergone by the bold and honest, discredit brought on the name of religion itself."

He had some right to expect that, seeing the willingness of Lord Derby to open the Crystal Palace on Sunday, remembering also that the noble Lord the Foreign Secretary had supported a more extensive measure than this was, and that the Secretary for War was a party to the Report of the Committee of 1854, the Government would not take any concerted action against this Bill, whatever individual opinions they might think proper to express. It was a singular fact that the Government themselves took money for the opening of certain places on the Sunday. They took a fee of *2d.* from each person in the chapel at Greenwich, and he understood that they also took fees on Sundays at the Chapel Royal. [Mr. Kinnaird said, that was not so with regard to the Chapel Royal.] There was a broad distinction between the recommendations of the Committee of 1854 and the present Bill. It might be said that those recommendations would involve a considerable amount of Sunday labour. He would not enter into the question whether that argument was conclusive, but it was one of considerable weight. The Committee, however, suggested a mode by which they considered that difficulty might be overcome. But that objection could not apply to his Bill, for if it became law it would not lead to the employment of any Sunday labour except such as would be performed voluntarily. It would lead to no servant or person employed in a public place being compelled to work on the Sunday. The argument against the payment of money at any place whatever on Sundays seemed to be the main point in dispute between the opponents and the supporters of the Bill. The former contended that no places should be opened on Sundays where money was paid for admission. He was unable to see any difference in principle between a payment made on one particular evening for a seat in some public room, and a payment made quarterly or half-yearly for seats in a place of worship. If hon. Gentlemen objected to the character of the places that would be opened, that was a totally distinct objection. He held in his hand a Petition from the Sabbath Alliance of Scotland against this Bill, in which the Petitioners expressed their opinion that it was both sinful and dangerous for the Legislature to sanction any proceedings tending to secularise the Sunday, and stated their belief that the tendency of the Bill, if enacted, would be to encourage the holding of meetings by parties who did not hesitate to avow their contempt for religion, and for the purpose of promulgating principles touching morality as well as religion, which would prove most injurious to the temporal and spiritual welfare of those likely to attend them. He rejoiced to have obtained from the opponents of the Bill so candid an avowal of the ground upon which they opposed it. The argument amounted to this. They say—"We have in force an Act which we consider to be an exceedingly convenient instrument for the purpose of suppressing the utterance of views which we do not like, and because we are afraid that those views may be more freely and more fully uttered if that Act is altered, we oppose this Bill, and ask the House not to pass it into law." Such language showed that the maintenance of the Act of *Geo.* III. was not consistent with religious liberty. He denied their right to dictate to people what opinions they should listen to, and what views were inconsistent or not with the moral and spiritual welfare of the people. The cry was always raised against a Bill of this character that it involved a "desecration of the Sabbath." This constant employment of the word "Sabbath" was calculated to mislead those who heard it, and to give them an erroneous impression of the nature of this day. There was a very common theory that in some manner not explained, and at some time totally unknown, the obligations which belonged to the Jewish Sabbath were transferred from the seventh day of the week to the first. He believed that theory to be totally destitute of historical foundation, and he had never heard any real argument in support of it. There was no Sabbath, and never had been, except the seventh day, and if hon. Members wished to observe it, that was the day on which they ought to keep it. He did not know whether any hon. Gentleman held the extreme theory that the whole of the Sunday ought to be spent in public and divine worship. If he did, he (Viscount Amberley) would ask him, whether it was at all probable that such a theory would ever be carried into practice by the great body of the people? Was it wise, under such circumstances, to help to maintain a system under which no place of a social character was opened on Sundays, except the public-house? The present state of the law gave facilities for spending a great portion of the day in public-houses; but if the law were altered, it would be more usefully and beneficially employed. Was it wise to keep open no other places than public-houses—to confer on them a monopoly in providing entertainment for the people, and thus give to Sunday drinking what might be almost called the sanction of the law? Then it was said that this was "the thin end of the wedge," and that the Bill was promoted by men who were anxious for something much more extensive. If he thought that the Bill would lead to a general custom of Sunday work, he should not move the second reading. But neither Sunday labour nor the general opening of places of amusement on Sunday was involved in the Bill. These were points which might be considered by the Select Committee. He had received a letter from Scotland, asking him whether this Bill would legalize the opening of theatres on Sundays. No one had a greater respect than he had for the people of Scotland. But there was a portion of them who, when their fears were aroused on the subject of Sabbath observance, sank into a mental condition rather resembling the credulity of infants than the shrewed common sense that generally characterized the nation. Some of them thought the promoters of the Bill were engaged in a dark conspiracy to deprive the people of their day of rest, and to introduce here a Continental Sunday. The Bill was about as likely to do that as it was to bring about the use of a foreign language. The observance of Sunday as a day of rest was founded on a general conviction among the people that a day of rest was desirable, and no danger need be apprehended from legislation on this score. Believing that this measure would have the effect of giving to a minority privileges which the majority wished to deny them, he moved the second reading of the Bill, submitting it to the House as a humble contribution to the great work of religious equality which was being so steadily accomplished, and which, when completed, would be one of the fairest and noblest achievements of the century in which we lived.

Motion made, and Question proposed, "That the Bill be read a second time."—(*Viscount Amberley.*)

Mr. KINNAIRD said, he must deny the statement that any charge was made for admission to the Chapel Royal. He regretted that one so prominent and able as the noble Lord should advocate a question which would assuredly separate him from a large majority of the people of this country. In quoting the speech of the Foreign Secretary in 1856, the noble Lord would have done well to state that it was most ably answered by the hon. and learned Member (Sir Roundell Palmer), and that a very large majority of the House pronounced against his views. It was said that in the present instance there had been a gross infringement of religious liberty. What were the facts? Certain persons took St. Martin's Hall for Sunday lectures. No one interfered with them. He himself went, and he found paid singers dressed in evening costume, the proceedings having much more of the character of a theatrical representation than of a scientific lecture. This entertainment, too, was accompanied by a more flagrant violation of the law, inasmuch as it became a commercial speculation. There was an endeavour to make it pay, and money was taken at the doors. There was no ill-feeling on the part of the Lord's Day Observance Society. The proprietor of the Hall was told that he had rendered himself liable to heavy penalties, but that if these performances ceased, the case would not be proceeded with. As so much had been said of the course pursued by the Association to which he had referred, it might be well to read one or two extracts from the statement they had issued. Referring to the persons who had provided the Sunday entertainments at St. Martin's Hall, they said—

> "As a voluntary and unregistered body, these persons may hold such meetings as they wish, hold them when and where they please, conduct them according to any order which they prefer, appoint any persons as lecturers and debaters, and meet the expenses attending them by voluntary collection. They may also announce such meetings in newspapers as an article of news. Two things only they may not do. They may not make a charge for admission, nor announce the meetings by paid advertisements. If they have confidence in the views they hold, and believe the statements they make as to the extensive support they command among the masses of this country, they may rest in that confidence, and cast themselves on the voluntary support of the people, and thus escape from the operation of the Act in question. Or, if it so please them, they may, by registration of themselves as Protestant Dissenters, obtain all the liberty which the Act of Toleration affords to Non-conformists."

Where, then, was the invasion of religious liberty? Was it not rather that a pecuniary privilege was sought under this Bill? If the principle was once admitted, where could you stop? Every theatre would be just as much entitled to open its doors as would the places where these entertainments were given. If music was to be allowed, why not dancing? He thanked the noble Lord for the phrase, "the thin end of the wedge." In the course of a conversation he had held with the promoters of the measure, they frankly admitted that they wished that there should be no law upon the subject. That would be the ultimate result of the Bill. It was the first step towards carrying out the Report of the Committee of 1854. The question now at issue had been over and over again discussed in the House, and he deprecated therefore any proposal to refer the Bill to a Select Committee. The simplest and shortest way was that the House should give a direct vote on the question. It was matter of great regret to him that he should have to take this course in the case of one for whom hereditarily he felt great respect, but he felt compelled to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Kinnaird.*)

MR. BERESFORD HOPE said, that the two speeches just delivered were the best evidence of the crude and immature state of the question now before the House. The noble Lord had very ably and fully made out a case against his own Bill; while the speech of the hon. Member led him to think that there was something more in the Bill than one at first supposed. Clearly there was a question to be solved—a state of things which ought to be carefully dealt with. He did not think that the Porteous Act had dealt with it in the most satisfactory manner. The relations then existing between Church and State admitted of far greater restrictions than would now be tolerable or even right, and so the Carlisle House grievance was met by a measure intended exclusively to render the actual scandal impossible. As to the point now to be discussed, the noble Lord's grievance divided itself into two distinct heads—the general question of Sunday observance, and the particular question raised by the Bill. The House must not be trapped into any opinion on the former wide and difficult question. There are three distinct methods of keeping Sunday. There was a Scotch, an English, and a French system of Sunday observance, and, speaking broadly, he was a believer in the English system, equally rejecting the French *fête*, and the Scotch Sabbath alike upon religious and upon social grounds. This was enough to go upon for the present. The hon. Gentleman (Mr. Kinnaird), who had visited these entertainments, found no fault with them till there came to be a question of money payments, by which the law was violated, and so the society represented by Mr. Baxter prosecuted their promoters. But that was an incomplete and unsatisfactory issue to raise. These Sunday evening meetings might have been right or wrong, but if they were wrong when tickets were sold at the doors, they must have been questionable before. The whole matter ought to rest on the character and tendency of what took place rather than on the form by which persons were admitted. Suppose a clergyman thought he could stir up the dormant religious feeling of his parish by Sunday afternoon meetings for the purpose of discussing religious and social questions; but that with a view to the more orderly conduct of these gatherings, he sold tickets of admission at a nominal price. Suppose, on the other hand, that an apostle of free-love, an infidel, or a Mormon were to begin free lectures—or suppose that Mr. Murphy, preaching ruffianism, murder, and arson, under the pretence of religious zeal, were to lecture, free of cost, assisted, say, by some musical Member of this House, then these persons would be within the letter of the law; but the poor clergyman, whose object was to save the souls of his flock, would be liable to a prosecution. Let our churches be free, as they ought to be; he did not say unappropriated, but free first to every parishioner, and then to every non-parishioner, and then this question of selling tickets might be left to the consciences of people who saw no harm in making the religious observances which they afforded a matter of commerce. If they were to allow free discussion on Sundays, not necessarily confined to theological subjects, the question could not be dealt with by such petty and one-sided legislation as this Bill proposed; but they must have a wide scheme of general supervision and police regulation in connection both with the buildings and what might go on within them. The difficulty had been raised as to any relaxation of the law in Sunday theatrical entertainments. It was obvious that this case might be met by a clause in the licence of every theatre prohibiting its being opened under any pretext on Sunday. To be sure this would prevent the excitement of those Sunday preachings in theatres of which they had heard a good deal a few years since, though these seemed now to have got rather stale. But, for his own part, he did not see so much harm in the prohibition of a very questionable experiment in public worship, which would check the scandal of a Sunday *mabille* rising in London. It was with these views that he had put on the Paper a notice for a Select Committee. Until he had heard the speech of the noble Lord he had not made up his mind to oppose the second reading, because he thought the question fairly demanded investigation ; but having heard that speech, he should feel bound to vote against the second reading. If it were carried he would then move to refer the Bill to a Select Committee. In any case his advice to the noble Lord was while dropping the matter for the present year, to move for a Select Committee on the whole Sunday question for the forthcoming year.

MR. J. STUART MILL : There is much good sense and good feeling in the speech of the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope). I agree that it is desirable that this question and others should be dealt with in a much broader way than they usually are by the House. But whose fault is it that they are not ? Not my noble Friend's. If I may be permitted to say so, it is the fault of the House, which never will look at any subject except by fractions, and will not consent to legislate otherwise than bit by bit. If it would, there would be many things different in our laws and in our discussions. My noble Friend professes wider views on the subject than correspond with the breadth of the measure he has proposed. In his Bill he has dealt with a small portion, a corner of the subject upon which he thinks it hardly possible that there can be a difference of opinion among reasonable persons. He gives the House credit for being capable of stopping where it likes, and deciding how far it will or will not go. He thinks that wherever the line ought to be drawn, it ought not to be drawn where it is now; and that there is something to be done in the way of promoting useful and instructive amusements, to call them nothing more, on a Sunday, in place of mere sensualities. I am not going to say anything, although much might be said, about the value of the instruction and recreation which these lectures afford. I am going to put it on the lowest ground, and ask whether you will have these or the public-house. It is true that the hon. Member for Chichester (Mr. J. A. Smith) has proposed, and probably will receive much support in proposing, to take away even this from the working man, and leave him nothing whatever to do on Sunday but to go to church, if he should be so disposed. But there is no incompatibility between going to church and going to these lectures also. If you are not able to make the churches so attractive to the class of persons who are most in need of moralizing influences as to induce them to go there, you will, if you induce them not to go to the public-house, be doing some good. I refer to the question of closing the public-houses on Sunday, because that is a remedy which probably many gentlemen would propose. They would say, "You have not to choose between scientific lectures and the public-house, because you may close the public-house, and shut up the working people in their homes," such as those are. There are two ways of keeping people out of what is considered to be mischief. One is to exclude them from what is regarded as hurtful indulgence, without giving them any other. The other is to facilitate their obtaining indulgences, amusements, recreations, to use no higher term, which if possible may be beneficial, and which certainly cannot be noxious. The latter plan appears to me the better, not only for the interests of society, but for the interests of religion itself. If you prevent any but a strictly religious employment of the Sunday, the only leisure day which is possessed by the mass of working men, what happens? You compel mankind, made as they are of flesh and blood, and needing a great deal which is not provided for by the church service—you compel them to look to the church service, and to their religious observances, not merely for spiritual instruction or spiritual edification, but also for all their excitement, and even for all their amusement. And this has two consequences equally serious and equally mischievous, and certainly equally undesirable in the eyes of religious people. One is to make the churches places of display, places of amusement and levity. The other is to make them places of boundless fanaticism. Both the love of lighter and the love of serious and grave excitement seek their gratification in this way, when others are denied them. The consequence is, that you are very likely to have, under cover of religious observances, all sorts of worldly feelings and worldly excitement, or else bigotry and fanaticism raised to their highest point. Speaking, therefore, in the interests of religion, it is not desirable that all places but churches should be closed on the only day of leisure which the mass of the community enjoy. Then as to the mode in which Sunday is to be employed, I would ask any reasonable religious person whether, if he cannot have all that he would think best, he ought not to desire to have what is next best—and which he thinks nearest to religion: science, or sensuality? With regard to the question of taking money at the doors for admission to these exhibitions, services, or whatever they are called, I understood my hon. Friend the Member for Perth (Mr. Kinnaird) to say that those who are anxious to give interesting instruction to the people may do it if they choose to defray the expenses themselves; but that it shall not be allowed that those who seek it shall themselves pay the expenses. That may be very well for once, twice, or thrice, but can it be expected to last? Is it to be desired that this instruction should be denied to the working classes unless others are willing to do what they themselves are not allowed to do—namely, to keep up a constant succession of these lectures, at the expense of others, and not at the expense of those who are able and willing to pay for them? Surely that is not what would be thought just and desirable in any other case. But perhaps my hon. Friend is of the opinion which seemed to be entertained by the right hon. Gentleman the Home Secretary (Mr. Gathorne Hardy) on another occasion, when, with a degree of irascibility which I have not seen him exhibit upon any other subject, he spoke of "miserable philosophers" who are never willing to sacrifice anything for their opinions; not perhaps sufficiently considering that "miserable philosophers" have not always the means of making great endowments, and that there seems to be no very strong reason why the promulgation of opinions should be left exclusively to those who are able to provide such endowments. As to the evil consequences which my hon. Friend expects to follow if money is taken at the door on these occasions, which, he appears to think, would necessarily lead to the licensing of all sorts of amusements on Sunday, he does not appear to have sufficient confidence in the legislative capacity of the House, or to believe that it is capable of defining what shall be permitted and what shall not. I may, however, observe to my hon. Friend that this Bill actually does draw a line. My hon. Friend says that he once attended these lectures, and that the great attraction was the sacred music. But the Bill of my noble Friend does not include music. He has purposely excluded it, and therefore, also, the paid singers. With regard to that invidious expression, "paid singers," are not the singers at our cathedrals paid? Is there anything necessarily unedifying in sacred music, because those who even thus humbly minister to the altar live by the altar? With reference to my hon. Friend's fear that if music were allowed dancing must be allowed also, he cannot be indifferent to, or unaware of, the difference between sacred and other music. Is it not the distinctive characteristic of sacred music that its effect upon the mind is at the same time calming and elevating? and therefore I suppose the best preparation for any desirable and good form of religious sentiment. I am not aware that there is any such thing as sacred dancing, at least according to our notions, although there is according to the ideas of other nations. Therefore there is no ground for the apprehensions of my hon. Friend. I apprehend that in this matter it is perfectly possible to draw a line of distinction if we choose to do so; to say what modes of amusement—if we put it only upon that ground—we consider to be, if not absolutely edifying, not inconsistent with edification, and what we think it desirable to put under restraint for one reason or another. As to these reasons, and the extent to which they would carry restraint, probably no two persons in this House are agreed. There is therefore—not that I apprehend there could be any reasonable objection to passing my noble Friend's Bill—ground for assenting to the proposal of the hon. Member for Stoke, and referring the question to a Select Committee. I concur with him as to the desirability of considering these questions in the broadest possible way, and deciding what are the modes of amusement to which there is no objection, and what are those which, from their more suspicious and more dangerous character, require restraint. It is probable that if a Select Committee be appointed, it will extend rather than restrict the scope of my noble Friend's Bill, and will find that on no broad principle that can be laid down will it be necessary to restrict the measure so much as my noble Friend has done. If the Bill is read a second time I shall be willing, as I presume from what he said my noble Friend will be, to consent to its being referred to a Select Committee, which will probably receive a great deal of valuable evidence—throw some light upon the subject, and I hope remove some prejudices.

Mr. HENLEY said, that the reasons why he was opposed to the Bill were few and simple. If the noble Lord were consistent he ought to have moved to repeal the Act of Charles II. That would be the plain and intelligible course, and everybody would know what was meant. So far as he could gather the opinions of the hon. Member for Westminster from his speech, he seemed to think they were driven to a choice between evils. He said, "You must do this in order to keep people out of public-houses." That was the whole gist of the hon. Gentleman's argument. Looking to the four corners of the Bill, theatres might be opened under it; and why not theatres as well as halls for political discussion, which he supposed was meant by debates as contradistinguished from lectures? If the question turned solely upon finding amusement for the people, why should they be shut out from circuses, which would be more attractive to the million and more likely to keep them out of public-houses than lectures or debates? There was not the slightest limit in the Bill. The most exciting topics might be on for discussion, even the question of female suffrage, which would no doubt be highly interesting, the ladies advocating one side, the gentlemen the other, but still these matters would not draw people from public-houses half so much as Punch, or the circus, or many other things of a similar description. Our forefathers were wiser in their generation than we were. They knew that the great body of the people of this country valued the Sabbath as a day of rest, and were conscious that if it were once broken in upon, Mammon would come in, and they would have to work seven days instead of six. His hon. Friend the Member for Stoke-upon-Trent (Mr. Beresford Hope) wanted to have this subject approached in a different style, and would, if the second reading were passed, have the Bill referred to a Select Committee. But in the opposite direction they had the Bill of the hon. Member for Lambeth (Mr. Hughes) defining works of necessity, and seeking to prevent unnecessary trading on the Sunday. Those who had legislated upon this subject had seen that you could draw no line but that of the forbidding of money making. They said that no one should on the Sabbath do anything to make money except in cases of necessity and charity. The object of the hon. Member (Mr. Hughes') Bill was to define more clearly the line as to what were and what were not works of necessity and charity; but it certainly was not a work of necessity or charity, to listen to a lecture or take part in a discussion on the Sabbath. He did not believe that any of these halls would be opened except for the purpose of making money. That was what it would come to. The law very properly said, "If you take money either at the door or by tickets you are breaking the Sabbath;" and if they were to give up that principle he did not see why they should not open all the shops. The law rested upon the plain and intelligible ground that these entertainments, or whatever they were called, harmless in themselves as some might be, others probably mischievous, should not be carried on on a Sunday for the purpose of making money. That law the noble Lord proposed to repeal with regard to a certain class of entertainments. He thought that it would be a great mistake to consent to that repeal, and therefore he should cordially support the Amendment. What were the main arguments for these amusements? They all knew that a great deal was done on the Sabbath that had better not be done. He was not one of those who desired to see an over strict observance of the day. He did not regard singing or whistling on the Sabbath as wrong; but he did not think that because they could not prevent all they would like to prevent, therefore they ought not to prevent that which was clearly wrong, and between which and any other commercial dealing they could not draw a line. The opening of the British Museum on the Sunday, and other places, not for money, had often been before the House, and had been resisted on the ground that it would be necessary in that case to employ the persons who were in charge of them. But how much further in that direction would this Bill go? They were told they must keep the people out of public-houses. Let that be done by setting an example to the humbler classes. He had lived to see a great deal of improvement take place in that way. People now exercised a great restraint over the sensual inclinations which we all had in common. He did not think it necessary, then, to hold out fictitious aids of this kind to enable people to do their duty, which he believed they would do year by year in a better manner. He believed that the public-houses would be less and less frequented.

Mr. J. Stuart Mill

He did not pretend that all the evil in the world would cease, nor would it do so if theatres and lecture-halls were open all Sunday. We did not find that in countries in which theatres and places of amusement were open on the Sabbath, the lower public-houses were without plenty of occupants. He did not think that even with the assistance of a Select Committee his hon. Friend the Member for Stoke-upon-Trent (Mr. Beresford Hope) could find a better line than the prohibiting of money making, and therefore he was prepared to support the simple rejection of this Bill.

Mr. BRIGHT: I think the tone of discussion on this Bill has been eminently satisfactory. It is not understood, I think, by the House that those who are disposed to support this Bill in any of its stages are less anxious to meet the hon. Gentleman the Member for Stoke, who expressed his strong feeling as to the moderate observance of the Sabbath. I entirely agree with him in the observations he made on that point. I recollect in some verses of George Herbert, he describes the Sabbath thus—

> "The week were dark, but for thy light:
> Thy torch doth show the way."

I agree very much with that sentiment. I should be very sorry here, or elsewhere, to make man think less of the value and of the immeasurable advantage which the day of rest is to the human race. Therefore, my observations will be offered to the House with the understanding that we all accept this—that none of us wish to disturb the day as a day of rest and a day of religious improvement. The difference resolves itself into this—whether, as the right hon. Gentleman (Mr. Henley) who had just spoken very clearly on the subject said, we are to draw the line by prohibiting a money payment or not. My hon. Friend the Member for Perth (Mr. Kinnaird) has, in private, rather criticized me because he thought I was in favour of allowing everything of evil to go free. Coming into the House I asked an hon. Member how he would vote, and he said, "I shall vote against the Bill because there are a lot of infidels at the bottom of it." I am not disposed to view it in this light. There have been many who have been infidels—who have professed to be infidels—who have made very good suggestions for the advantage of mankind. A hall may be open for everybody who may come in, in which any man may speak on any religious topic—of faith and of no faith. This very hall out of which this Bill has sprung might be opened by the persons who are in the habit of lecturing—if they would advertise that the people might come in gratis. They could give lectures of science or no science, of faith or no faith, and the law could not meddle with them in the least. I suppose if they formed themselves into a Committee, and sufficient funds were raised so that the hall could be opened regularly throughout the year on every Sunday evening, any person might come to the hall and enjoy the music or lecture, and the law could not interfere with it. The objection to the Bill is this, as the right hon. Gentleman (Mr. Henley) thinks, that it allows that those who come should be made to pay. Those who support the Bill say that if those who come are allowed to pay, that arrangement can be continued more easily than if they did not pay, and some committee were to open the hall free to the public. I was lately speaking to a gentleman, who told me that at Cheltenham and Leamington, in going into the churches of these towns, where he did not live, he was charged a sixpence or a shilling for a seat in the church, and in one of the churches two shillings, where the person paying it was put into a more advantageous position than if he only paid a shilling or sixpence. That must be contrary to law if these meetings on Sundays are contrary to law. Yet nobody interferes with that arrangement, which is probably found to be advantageous on the whole. Let me put the question to the House in this way. The working men—for the case applies to them particularly—have six days in the week on which they labour. They have one day in the week for rest and religious instruction, or for recreation. We, who sit in this House, and others like us throughout the country—a large class mostly pretty well off in the world—have seven days in the week, on any of which, often on many of which, in many cases on all of which, we can take our rest, we can take our instruction, or we can take our recreation. Therefore, when we discuss a question of this kind, I think we ought to look narrowly at the condition of these and of other large classes for whom this Bill is supposed to possess some advantages. My own impression is, the question has in it a great deal of difficulty. There is a large class in this country who are anxious there should be no opportunity for the employment of the Sunday except in religious exercises. There is another large class which would like that there should be some relaxation of the law on this subject. I did not hear the speech of the noble Lord the Member for Nottingham, but I am sure it was a speech of thought and ability. I take the Bill as it stands. It might, I think, be objected to on good grounds as to some portions of it. The 3rd clause, for instance, imposes a heavy penalty upon any person who shall sell refreshments to be eaten or drunk in a room connected with any hall that might be used for lectures on Sunday under this Act. It is clearly an infringement of liberty to inflict a fine of £50 for the sale of anything to eat or drink in connection with a hall legally open to the public. Looking at the Bill as a whole, my view of the difficulty of the case is rather strengthened than otherwise. The hon. Member for Stoke made a good suggestion when he proposed—not that the Bill should be read a second time—for I do not believe he is going to vote for the second reading—but that it should be sent to a Select Committee, with a view, if possible, to make some relaxation advantageous not merely for the recreation, but for the instruction of the people, without rudely violating those religious feelings, feelings which exist to a large extent, and for which feelings I have a great regard. If I vote for the second reading it is not because I would like to vote for the third reading as the Bill stands, for I think it is open to great objection, and that the law as it stands is open to great objection. The question is one which will come before the House year after year until we come to some decision upon it. My own opinion is, it is well to read the Bill a second time, without its being understood that we are bound to accept its principles or clauses, but for the honest object of taking it before a fair tribunal in the hope that something may be brought out of it which will be advantageous to the country, which will extend a liberty which may be harmless, and which will not offend the susceptibilities which I would be the last man to disregard. I believe the stability and character of our country as well as the advancement of our race, depend very much on the mode in which the Day of Rest appointed for mankind may be observed and used among men.

SIR WILLIAM HEATHCOTE said, that he thought the hon. Member for Birmingham had somewhat misunderstood the argument of the hon. Member for Stoke. The hon. Member for Stoke said he would on the whole be disposed to vote against the Bill, but that if the second reading were carried he should move that it be referred to a Select Committee. The important part of the observations of the hon. Member for Stoke, and which had not been noticed by the hon. Member for Birmingham, was, that the former advised the noble Lord the Member for Nottingham to let the subject alone this Session, and to move at the commencement of next Session for a Committee to inquire into the whole matter before introducing any measure. He (Sir William Heathcote) was not disposed to agree with those extreme religious people who thought that the Sabbath should be observed with all the strictness of the Jewish Sabbath, nor, on the other hand, was he inclined to sympathise with the opposite extreme. He was exceedingly afraid of letting in the class of amusements which prevailed in certain Continental cities. He could see no way in which the line could be drawn and the objects tested so well as by the money payment. He wished to point out to the hon. Member for Stoke (Mr. Beresford Hope) the difficulty into which he would be led if he proposed to allow money to be taken, and did not insist on that as the simple test, but substituted for it some regulation of the objects. The money payment was a tangible test, on which no question of religious liberty could arise. If questions as to the objects and the subjects dealt with were entered into, they could not avoid raising questions of religious liberty. The noble Lord who had brought forward the Bill had said a good deal about religious liberty, as though religious liberty was involved in this question. But the fact was there was nothing to prevent religious subjects from being discussed, if, as had been pointed out by the hon. Member for Birmingham, those who desired those discussions provided a hall for themselves, and managed it by a committee. The value of the money test was that it stopped those theatrical and other amusements which were resorted to only for the purpose of money making, and not for the purpose of improving the people. It would be following a bad precedent were the House to read the Bill a second time without intending to affirm its principle. He had himself incurred inconvenience by consenting to such a course in other cases. He should vote against the second reading of the Bill, but would not oppose the noble Lord next

Session in moving for a Select Committee to consider the subject.

MR. CHICHESTER FORTESCUE said, that he did not understand the money test doctrine laid down by the right hon. Baronet (Sir William Heathcote). If the moral and intellectual lectures referred to were good things in themselves why should difficulties be thrown in the way? Why should the right hon. Baronet desire to impose a money test upon moral and intellectual instruction and refuse to apply the same test to religious instruction? Those who legislated upon this subject ought not to overlook the fact that they were in a totally different position from the class for whom they legislated, that those who belonged to that class were restricted to the one day of the seven as the only one on which they could obtain anything like recreation, amusement, or cultivation of mind. He did not think that that Day of Rest was best spent by devoting it solely to attendance at places of worship. With reference to the argument, that if the Bill were passed a certain number of persons would be employed in waiting upon those who attended the lectures provided for their instruction and recreation, if the lectures were good in themselves, the result would only be that the interest and advantage of the few would, as in the case of railway travelling, be to a certain extent sacrificed to the many, and that was far better than sacrificing the many to the few. He could not see why, if this simple concession were made to our poorer fellow-countrymen, Parliament would be committed to any larger measure, nor why any difficulty need be found in drawing a line as to what should and what should not be allowed. He should be happy to vote for the second reading of the Bill, either on its own merits, or in order that it might be referred to a Select Committee.

MR. GATHORNE HARDY: Sir, I agree entirely in the tone of the admirable speech of the hon. Member for Birmingham, and if I come to a different conclusion to that he arrived at, it is with no disrespect for the arguments he has employed. The principle of the Bill under discussion is to get rid of that which is at the present moment the main protection against the establishment of halls for amusement on Sunday evenings. I cannot see that there is any interference with the rights of conscience or the religious opinions of others on the part of those who oppose the Bill. If the world were in the excellent state which seemed to be hinted at by the right hon. Gentleman who has just sat down, the question might be more easily solved. He has assumed that the whole of the lectures are to be good and moral, and none of them bad, and he founded his support of the measure upon that supposition. But if the right hon. Gentleman will take the trouble to inquire throughout London, he will find that that assumption is not altogether correct, and that if the Bill is passed in its present shape, it will not only open the doors of halls for the delivery of moral and intellectual lectures, as in St. Martin's Hall on Sunday evenings, but it will also throw open places which have been shut for want of money to carry them on — places in which infidel lectures of all kinds would be delivered, which are not attractive in themselves, but which may, by the expenditure of money, and thus, by means of money payments, be made attractive. Again, with regard to cases like that of the late Mr. Albert Smith. His lectures, if so they might be called, were as moral as those that have been referred to, although they were entirely devoted to amusement. If you were to allow that lectures such as those of the late Mr. Albert Smith should be listened to on Sunday evenings, by the payment of money at the doors of the hall, let me ask which of the persons who at present entertain the people of the metropolis by amusements that are not exactly theatrical could be prevented from giving entertainments on a Sunday? It would be impossible to draw a line except by the establishment of a censorship of some kind. If this is done the principle must be extended not merely to lecture-halls, but to churches and chapels, and certain elaborate rules of moral and religious instruction would then have to be laid down which would be totally out of harmony with the existing religious institutions of the country. It is contended that there is a large number of persons who wish to attend these lectures on Sunday evenings, and that there is no harm in them. It is no doubt the case that many of the lectures which have been delivered at St. Martin's Hall, were not only harmless and entertaining, but afforded much valuable instruction; and there would have been nothing to prevent their continuance, had the expense been defrayed otherwise than by a charge for admission. But if the principle of the present Bill is sanctioned, and we are to admit people to lectures upon payment of money at the doors, I should like to know upon what grounds so admirable a play as *Hamlet,* or even the drama of *George Barnwell,* which at one time all the London apprentices were sent to see once a year, should not be acted on Sunday evenings? Why should not instruction be received in the form of dramatic dialogue as well as in the shape of lectures if money is to be taken? And then we should have Sunday lectures and amusements turned into a trade, which the Act of *Geo.* III. was passed to prevent. The real question is, whether you are to allow the parties who get up these lectures on Sunday to make a trade of them. Allusion has been made to the case of churches, but they do not come under the operation of the Act. I do not approve of persons being compelled to pay for a seat in a church, but I think it is perfectly legitimate where churches have sprung up at watering places that there should be boxes at the door for collections. Everybody, however, should get a seat whether they pay or not. My main reason for objecting to this Bill is that it does away with an Act which has been effective in preventing immoral lectures and amusements that are not in consonance with the general feeling of the country. I believe that if you pass this Bill you will open the door to amusements, which, as the hon. Gentleman the Member for Birmingham has said, in a tone so creditable to himself, will be opposed to the general feeling and sense of the country.

Sir GEORGE GREY said, he hoped that after the discussion that had taken place the noble Lord who had moved the second reading of the Bill would not press for a division. It was impossible not to see that there was great difficulty in legislating upon this subject. He should, however, be sorry, by voting against the Bill, to imply that he thought the law upon the subject was in a satisfactory state, or that it was not desirable to provide the means of innocent recreation for the great masses of the people on Sundays. In the latter object he entirely concurred, and he was a member of a Committee some years ago which recommended that facilities should be given for providing such recreation. He understood the hon. Member for Birmingham — whose speech he had heard with satisfaction—was not prepared to support the principle of the Bill, but wished to assent to the second reading for the purpose of having it referred to a Select Committee. It was clear that the House was not prepared to affirm the principle of the Bill now under discussion without further inquiry, and he would recommend his noble Friend to withdraw the Motion for its second reading, and to move for a Committee of Inquiry next Session.

Viscount AMBERLEY said, he declined to withdraw the Bill. The only principle which the House would affirm by giving it a second reading was that payment might be made at certain entertainments. The details might be settled by a Select Committee. He did not think the Bill would encourage theatrical entertainments or that special class of amusements to which the right hon. Gentleman (Mr. Gathorne Hardy) had referred.

Mr. P. WYKEHAM MARTIN said, that he had lived in Leamington fifteen years, and, as that place had been alluded to, he begged to say that ministers of all religious denominations were anxious to welcome people to their churches and chapels. The only thing they were asked to do was to drop such an offering as they could afford into boxes provided for the purpose.

Mr. M'LAREN said, that the noble Lord who introduced the Bill had laid great stress upon a petition from Scotland. He (Mr. M'Laren) was asked to present that petition, and would say a few words respecting it. The noble Lord said the petition might be held to embody the main objections entertained to the Bill, and quoted from the petition, referring at the same time to the Calvinistic doctrines it contained. The noble Lord thought he had thus made out a case for his Bill. But even if the noble Lord had thus succeeded in demolishing the arguments in the petition—which he had not—it was still incumbent upon him to prove the evils that now exist, and then to prove that his Bill was a remedy for those evils. The noble Lord did not prove either the one or the other. Three petitions had been presented against the Bill. One was from the Wesleyan Methodist Conference of England — who did not hold those high Calvinistic doctrines at all. Why did not the noble Lord refer to their doctrines? He could not consider the Wesleyan Methodists an insignificant body. The noble Lord said he had received, with amazement, letters from Scotland asking whether the Bill would legalize theatrical representations? He (Mr. M'Laren) was amazed that the noble

Lord should be amazed at such a question. The principle of the Bill did legalize them as it appeared to him. There was no legal objection now to scientific lectures, but there was an objection to making money by amusements on Sundays. If there was to be singing and other amusements, where were they to stop? He had seen cases reported from the police offices where the magistrates had to decide whether these musical entertainments came within the limits of theatrical entertainments, and the magistrates had decided that they did. It therefore seemed only natural to ask the question whether this Bill would legalize theatrical performances on the Sunday. That principle was by implication embodied in it, and therefore he (Mr. M'Laren) disapproved of the Bill. It was urged that there was nothing wrong in taking money, but it must be remembered that those who took it were carrying on a trade just as other tradespeople were doing. If parties were allowed to make money on Sundays by providing amusements in public halls, they should be allowed to carry on other trades on the Sabbath; but no other class was allowed to do so. The subject was not at all connected with the question of religious liberty, and he entirely disapproved of the second reading of the Bill.

MR. LOCKE said, he wished to remind the House that theatrical entertainments stood on a different footing from any other entertainment. At the present moment, without a license from the Lord Chamberlain it was utterly impossible to have any theatrical representation in the metropolis; and throughout the country the license of a magistrate must be obtained before any theatrical representation could take place. Such was the law under 6 & 7 *Vict.* A distinguished man—the late Mr. Joseph Hume—had been instrumental in opening Hampton Court Palace on Sundays. When a proposal was made respecting the reception of the bust of Mr. Hume by the House, the hon. Member for Perth (Mr. Kinnaird) seconded the Motion. Did the hon. Member for Perth approve of the views of Mr. Hume on this subject? Mr. Hume's proposal was, that at the time public-houses were open on Sundays, the British Museum, National Gallery, and other public places should be likewise open, and allowed to compete with the public-houses. It seemed to him (Mr. Locke) that as Sunday was the only day of leisure to the great body of the people inhabiting the metropolis, it would be of great advantage to them to enable them to improve their minds by attending places of instruction such as were contemplated in the Bill on Sunday evenings. He attached no weight to the argument that the privilege might be abused, because there was no institution in existence of which the same might not be said. Matters of this kind were regulated by public opinion, and the law was stringent enough if properly enforced to prevent anything that would militate against decorum or proper feeling. The House ought not to refuse to allow the Bill to go to a Select Committee. The question was one worthy of serious consideration. On the one hand there was a body of people who said there should be no recreation on a Sunday, but that everybody should go to chapel two or three times a day whether they liked it or not, while on the other hand there was a vast number of persons who considered not only that innocent recreation on the Sunday was harmless, but that it was extremely beneficial.

MR. THOMAS CHAMBERS said, he considered that there were most decisive objections to this Bill. In the first place, as was very ably stated by the hon. Member for Birmingham, there was no grievance, and therefore no necessity for legislation. Language was never more grossly perverted than in that portion of the preamble of the Bill which stated that there was an infringement of religious liberty by the operation of the Act of George III. Religious liberty was a phrase which seemed to require defining anew, but as he understood it it was liberty for a man to believe according to his conscience and to worship according to his belief. If people's consciences were hurt by not being allowed to charge for admission at Sunday lectures, they might put in the same plea with regard to almost every other matter forbidden by Act of Parliament, where the objection did not agree in the policy of the prohibition. An eminent Judge declared Christianity to be part and parcel of the common law of the land, and the observance of the Lord's Day was part of the creed and practice of every Christian denomination. But the noble Lord, in the ground he had taken, stood apart from all the usages and traditions of Christendom, and had put the matter on a footing which it could never continue long to occupy in this country. If the Day of Rest was not divinely ordained, but was merely "an expedient custom," away went the Sabbath altogether; no power could preserve it to us for ten years. And why introduce a change. No law prevented these gentlemen from lecturing on Sunday evening to any audience that could be gathered together to hear them. He said, then, that there was no grievance. He objected to this Bill because it broke down the present simple and successful legislation in defence of the sacred day. The law of England did not, with certain exceptions of cases of necessity, allow trading on Sunday, or money to be earned on that day. It was therefore quite consistent with the spirit and policy of the law that these persons should not be allowed to open a lecture-room for purposes of profit on Sunday. He believed that the object of this Bill was to give facilities for saying many things which, in his opinion, ought not to be said, but he did not oppose it on that account. To restrain the utterance of such sentiments would be an infringement of civil and religious liberty. His great objection was that it violated an institution which was common to all Christians. He opposed the Bill, not only on account of its particular provisions, but on account of the general principles upon which it was founded. He further opposed it on the ground that the views of the noble Lord who moved the second reading were fraught with peril, because they went infinitely further than the provisions of the measure. An overwhelming majority of the people of this country were in favour of maintaining Sunday as a day of rest, and Parliament would wound them in their most sensitive feelings by passing such a measure as the present. Every one who stood up for six instead of seven days' labour, and who endeavoured to secure this object in the only effectual way—namely, by maintaining the inviolability of Sunday, was a true friend of the labouring man, and was so regarded by the great body of the working classes themselves, in whose name, and for whose professed advantage, this mischievous proposal was made.

Mr. HOLDEN protested against its going forth to the public that they legislated in this House on religious grounds. It was on broader grounds that the House ought to reject the Bill. Parliament was not called upon to prescribe the religious observances or opinions that any portion of the people should hold, but it was his conviction that the observance of a weekly day of rest was of the utmost importance to the people of England. He had in the course of his life resided a good deal abroad, and about thirty-five years ago he heard a distinguished Frenchman, not a religious man, but a *doctrinaire*, who expressed his conviction that England owed her success as an industrial and commercial country in great measure to the fact that she observed the first day of the week as a day of rest, and as a day affording facilities for domestic intercourse, for acquiring knowledge, and for relieving the mind by change of occupation. The present Emperor of the French issued a decree on this subject in 1852, and was doing all he could to limit the desecration of Sunday in France. He had succeeded to a great extent, and the French people were coming to hold the opinion that it was necessary for the prosperity of France and the well-being of the community that a day of rest should be observed. Twenty years ago there was scarcely any place of business closed in France on the Sabbath day, while now the places which were shut up on Sundays might be counted by thousands in Paris alone. He regarded it as a very happy omen that the popular feeling in England was in favour of a day of rest. The householders of England would not like to see their children going to places of amusement on the Sabbath Day. And when household suffrage came to be the law, it would be difficult for a candidate to secure his election who put forth different opinions. On these grounds he would oppose the second reading of the Bill of the noble Lord.

Mr. POWELL said, that if this measure passed there was reason to believe that, owing to the difficulty of a correct definition, there might be *quasi*-theatrical performances in these rooms on Sundays.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

INDUSTRIAL SCHOOLS (IRELAND) (*re-committed*) BILL—[Bill 102.]

(*The O'Conor Don, Mr. Monsell, Mr. Leatham.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*The O'Conor Don.*)

MR. BAGWELL said, this was a kind of supplementary Reformatory Bill which enabled the authorities to take up vagrant children and put them in industrial schools where they would be maintained at the public expense. The principle was good, but the means of carrying it out were wrong. Under the present law parents who neglected their children were liable to punishment. Nor was it fair that paupers in workhouses should be maintained out of the poor rates, and the expense of maintaining these vagrant children be thrown upon the county cess. Some provision might be made by which these children should be taken to the workhouse and brought up there, but he could not support a plan for taking these children and putting them in a sort of second reformatory.

MR. VANCE said, he agreed in thinking this a very objectionable Bill, and there would have been many remonstrances from Ireland against it but for the way in which it was drawn. It professed to follow the English Bill on this subject, but the circumstances of the two countries were very different. There was such a mass of pauperism in Ireland that if this Bill were carried out in its present state the rates would be increased to a burdensome extent. Beyond that the country generally would be put to expense, as under the Bill the Commissioners of the Treasury were empowered to contribute money for the maintenance of these vagrant children. He objected to the Bill, also, because it would give an impetus to monastic institutions. The result of the working of the Bill would be that in the city of Dublin at least the monastic schools would be increased at the public expense. The grand juries of counties, on the other hand, would not be ready to adopt it. The rates already being 8*s.* in the pound, he moved that the House go into Committee on the Bill on that day six months.

LORD CLAUD HAMILTON seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Vance,*)

—instead thereof.

MR. SYNAN said, that the monastic schools of Ireland received the support of every friend of industrial education. They were, indeed, the best institutions in the Empire for the education of the people. His hon. Friend (Mr. Bagwell) was mistaken in supposing that vagrant children could be sent to the workhouses under this Act. The workhouses were not and could not be made industrial schools. He was not aware of any law compelling parents to support their children. In England juvenile vagrancy had been almost put an end to by the establishment of industrial schools in 1851. Statistics showed that there was a large and increasing amount of juvenile vagrancy in Ireland, which called for a measure of this kind to meet it. The law of England in relation to industrial schools ought to be extended to Ireland so far as it was applicable to the circumstances of that country. The benefit which the Bill proposed to confer upon the children of the poor ought to outweigh any considerations urged on the part of the ratepayers. It was absurd to say that the Bill would be a premium on the desertion of children by their parents; for the latter, if they were living in the country, would be liable for the support of their children in these industrial schools. In Committee a clause might easily be inserted in the Bill for dividing the rate for the support of those institutions between the landlord and the occupier.

LORD CLAUD HAMILTON said, he admitted that it was an inconvenient course to oppose the Bill at that stage, but the necessity for doing so arose from the fact that the hon. Member who had charge of the measure (The O'Conor Don) withheld all explanation of its objects and his reasons for introducing it. In moving the second reading, he only addressed the House at the close of the discussion, when he quoted from a Report with respect to juvenile delinquents in Ireland in a manner calculated to create an erroneous impression on the subject. The criminal statistics of Ireland were not unsatisfactory. Tramps and vagrants, untainted with actual crime, could not fairly be included among juvenile delinquents. There were institutions in existence ready to receive these young persons — the poorhouses, large buildings almost empty, but having attached to them schools, masters and mistresses, chaplains of all denominations, and a machinery available for giving industrial instruction. Why should not the existing appliances now dormant be utilized, before they saddled the already highly-taxed people of Ireland with heavy burdens for additional establishments? He regarded such legislation as both ridiculous and unnecessary. He traced a great portion of the evils of Ireland to the lack of common sense views and a practical spirit among so many of its representatives.

Lord NAAS said, that from all he could learn he was bound to state that he did not think there was any very general demand for the measure, or any great necessity for it in Ireland. The opinion of many gentlemen actively engaged in working the reformatory system in that country was that the reformatories now in existence were sufficient to meet the requirements of the case, and that it was not necessary for the general well-being of the country to supplement them by industrial schools. But seeing that a Bill similar to the present was in force in England, and believing that there was no very substantial reason for preventing the measure from being further discussed, he was disinclined to oppose its going into Committee. The principles on which the measure rested had been sanctioned by Parliament for England and Scotland, and it had not yet been shown that they were inapplicable to Ireland. If in Committee it should be found that there were any Amendments necessary to render the Bill more suitable to the peculiar circumstances of the country, he should support them. No doubt vagrancy existed at one period to a great extent in Ireland, arising probably from the poverty which existed there; but it had greatly diminished, if it had not nearly disappeared. He was of opinion that the provisions of the Bill would be adopted only in large towns, and that the great apprehended expense from its general adoption throughout the country would act as a bar to its operation. As a further check it was provided that before any institution could be established the proposal must receive the assent of the grand jury, and must also be ratified by the Chief Secretary, so that there was little danger of useless expense being incurred. The Bill was entirely permissive, and though he did not anticipate that advantage would be largely taken of its provisions, still he did not think there was a sufficient reason for impeding its further progress.

The O'CONOR DON said, he had to express his acknowledgments to the noble Lord for the spirit in which he had met the measure. He was ready to accept suggestions for its improvement in Committee. As to the course he had taken in conducting the Bill to its present stage, it had been before the House for a considerable time, and not a single notice of amendment had been given. It was simply the extension to Ireland of a legislative measure which had been tried and approved in England. In introducing the Bill at an early period of the Session, he had fully explained its purport, and regarding the measure as one of a simple character, he had not thought it necessary to offer any observations in moving the second reading. If there had been anything unusual connected with the measure, it was the opposition now offered to the Speaker leaving the Chair.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 198; Noes 54: Majority 144.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

And after long time spent therein,

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of Mr. Secretary Gathorne Hardy, Bill to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the city of Edinburgh, *ordered* to be brought in by Mr. Secretary Gathorne Hardy and Sir Graham Montgomery.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 20, 1867.

MINUTES.]—Public Bills—*First Reading*—Lunacy (Scotland)* (163); Bridges (Ireland)* (164); Drainage and Improvement of Lands (Ireland) Supplemental* (165).

Second Reading—Pier and Harbour Order Confirmation (No. 3)* (192).

Committee—Bunhill Fields Burial Ground* (105).

Report—Houses of Parliament* (170); National Gallery Enlargement* (169); Bunhill Fields Burial Ground* (105); Local Government Supplemental (No. 2)* (167); Policies of Insurance *now* Policies of Assurance* (85).

Third Reading—Metropolitan Police* (171).

Royal Assent—Army Enlistment [30 & 31 *Vict.* c. 34]; Criminal Law [30 & 31 *Vict.* c. 35].

RITUALISM—THE ROYAL COMMISSION.

Earl RUSSELL addressed some remarks to the House in reference to the constitution of the Royal Commission on Ritualistic Practices in the Church of England, but his Lordship was quite inaudible.

The Earl of SHAFTESBURY: It is perfectly true that the right hon. Gentleman the late Secretary of State for the Home Department wrote to me to ask whether I would consent to act as a Member of the Royal Commission appointed to inquire into the subject of Ritualism. I took the liberty to reply to Mr. Walpole that I thought no person who held extreme opinions, or who in the view of the country was regarded as holding extreme opinions, ought to be placed upon the Commission. I said that I was considered to be a man of extreme opinions—and I do not, indeed, deny that I entertain very strong feelings—so strong, indeed, that I am inclined to doubt whether I could act impartially. I went so far as to say that other gentlemen had taken up such a decided attitude that in my opinion they ought not to be on the Commission; and I further ventured to name the right rev. Prelate who presides over the diocese of Oxford. At the time the offer was made to me I knew nothing of the gentlemen who were to serve on the Commission, nor did I know anything of the terms of the Commission; and therefore my decision was given without reference to the persons who were to be appointed, or to any other circumstances connected with it. Since the Commission has been issued I must say that, with all the respect I bear to the name of every gentleman upon it, I am notwithstanding in duty bound to state my opinion that it would have been far better if other names had been put upon the Commission—if certain persons who were so decided in all their views and practices had not been placed there, and if persons in whom the country reposed confidence had been allowed to conduct the examination, I am satisfied that if any adverse decision is come to by the Commission it will be unanimously rejected by the one party or the other.

The Earl of DERBY: I entirely dissent from the view which has just been expressed by my noble Friend in reference to the constitution of the Commission. I was so far from thinking it undesirable that persons holding strong opinions should be placed upon it, that I thought it was only by having the fairest and fullest representation of all opinions upon it that the Commission could hope to come to a decision which would be satisfactory to the country, and fair to all the parties concerned. I can assure your Lordships that both the late and the present Home Secretaries considered with me most anxiously the manner of framing that Commission so as to give a fair and full representation to all parties. It was not, however, our intention—as seems to have been the wish of my noble Friend—to frame the Commission, not for the purpose of judging and deciding, but for the purpose of condemning one set of opinions and approving another. [The Earl of Shaftesbury: No, no!] What, then, does my noble Friend mean by saying that he is satisfied from the names appointed on the Commission that the Report of the Commission can give no satisfaction to the party which he immediately represents? I say that that party is fully represented on the Commission by able and distinguished men, and men who perhaps hold opinions as strong as those of the noble Earl himself. It was not the intention of the Government, nor did we think it desirable, that the Commission should be so framed as to represent only one set of opinions, but that, as in the case of the previous Commission respecting Clerical Subscription, it should be so constituted that all parties might be fairly heard, and that by the conflict of opinion—and I trust it will be a friendly conflict in the present instance—there might be elicited a fair, a reasonable, and a moderate Report which would be satisfactory to all moderate men.

The Earl of SHAFTESBURY: In reference to what has fallen from the noble Earl, allow me to say that all that may be perfectly right, but there is no justice in the charge which the noble Earl has thought fit to bring against me—namely, that my only view was that the Commission should be so framed as that it should condemn the opinions to which I am opposed. What right has the noble Earl to say that? What have I ever said to lay myself open to such a charge? I venture to say that the noble Earl has made a statement which is not justified by any one consideration. What I said is this—that there were two or three Gentlemen on the Commission who ought not to be on it. I have not the names before me, but I think I am not going too far when I say that it is somewhat extraordinary to find on the Commission the name of the founder and builder of that Church of St. Alban's—which is the head of offence in all this matter—Mr. Hubbard, who at this hour is churchwarden of that church. He is a most respectable and excellent man in every possible sense of the word; but still he is a man who has taken up so decided an attitude in regard to these Ritualistic practices, that he cannot be considered an impartial judge to be placed upon the Commission. I do not for one moment doubt that the Members of the Commission mean to do their duty; but what I argue is that they may be biassed by their very strong feelings, and may not be able to act so impartially as could be desired. I must again protest against the noble Earl rising in his place in this House, and, in the presence of the whole country, charging me with a degree of baseness which would render me unfit to sit in this House.

THE EARL OF DERBY: I shall be extremely sorry if I have done any injustice to the noble Earl, and I am glad to hear that he disclaims what I attributed to him. But certainly when I heard what fell from my noble Friend I thought I was perfectly justified in making the observation I did, in regard to having no persons on the Commission except those of undecided opinions. I would venture to remind my noble Friend that in almost every Commission some persons have been appointed who hold strong and extreme opinions. For example, there sat on the Commission on the Punishment of Death, Mr. Ewart, a Gentleman who, year after year in the House of Commons, had perseveringly advocated the abolition of that punishment. Yet nobody thought of objecting to the appointment of Mr. Ewart on this occasion to serve on the Commission. In the same manner I proposed to my noble Friend himself that he should serve on the Commission, and I should have been glad if he had consented to do so; though, if he had declined, that was a matter for his own discretion. It was our wish that all opinions should be fairly represented on the Commission in order that its decision might not be a one-sided one.

THE BISHOP OF OXFORD: The noble Earl opposite (the Earl of Shaftesbury) has done me the honour to specify my name as one to which he objected, on the ground that I am a person of extreme opinions. This Commission has been appointed mainly to examine, report upon, or, if possible, adjust the difficult questions which have arisen as to the extreme Ritual. Now, I challenge the noble Earl in the face of the House to produce one single element of proof for the assertion that he has just made—that I am, or ever have been, an extreme man in the matter. My actions and words are before the Church. I have done all in my power to repress these extremes, and I have given in my Charges, and have published, the reasons why I endeavour to repress them. I have done more. I have been successful in repressing them; for, whereas in other dioceses they have broken out, in the diocese of Oxford there has been a remarkable absence of them. It is very easy for the noble Earl to attack me because I do not take an extreme view. He himself confesses that he is an extreme man. I am not an extreme man. I am one who holds that middle position of doctrine in the Church of England which Richard Hooker held, and for which, while living, he was beset by the Puritan faction, and for the holding and maintaining of which he has, since his death, been universally esteemed in the Church of England. These are my opinions, and I challenge the noble Earl to make good, if he can, the words he has so rashly thrown out in your Lordships' presence.

EARL GRANVILLE: I think we must all feel that it is inconvenient to discuss the characters of the Members of this Commission; but I must say that I think the noble Earl opposite (the Earl of Derby) has made an attack upon my noble Friend which appears to be not well founded. I did not understand the noble Earl (the Earl of Shaftesbury) to mean what the noble Earl has imputed to him. I do not wish at this moment to give any opinion myself upon the constitution of the Commission. There are many Members of it with whom I am personally unacquainted; but judging, not only from the tone of the public press, but from all that I have heard on the subject, I must conclude that the composition of the Commission is not generally considered a perfectly fair and judicious one. There can be no doubt that a Commission ought to be composed either upon one principle or the other—either of persons perfectly impartial, or it should be a representative Commission, representing adequately and fairly the different shades of opinion. If I understood the objection of my noble Friend (the Earl of Shaftesbury) rightly, it is that he does not think that the Commission, taken as a representative Commission, is not so constituted as fairly to represent all opinions. I do not doubt but the noble Earl and Mr. Walpole have most conscientiously desired to come to a proper conclusion on the matter. But I should like to know whether they consulted any other persons before settling it. I know, as a fact, that neither the Archbishop of York nor the Bishop of London were consulted. I believe that there is no doubt that the Archbishop of York refused to serve on the Commission, and I believe the Bishop of Durham did so also.

The Earl of DERBY: I am not able to say whether the Bishop of London was' consulted in the first instance or not; but I know that the Archbishop of Canterbury was consulted in regard to the names of the Members, and I believe he communicated them to the Bishop of London and other Prelates. The Archbishop of York refused to serve on the Commission—for what reasons it is not for me to say.

The Archbishop of CANTERBURY: As my name has been mentioned, I may now state that, at an early stage, the list of the proposed Members of the Commission was presented to me; and among them, at that time, were the names of the Archbishop of York, the Bishop of London, and Sir Roundell Palmer. I then thought that the Commission was fairly constituted; but I have not seen it since, and I can therefore give no opinion respecting it. At the same time, I must say I believe that all parties are fairly represented, and it only remains to be seen whether the country will be satisfied.

The Earl of DERBY: Though it is not usual in the case of Royal Commissions, I will move an Address to the Crown for a copy of this Commission.

The Earl of DERBY then *moved* an Address for Copy of the Commission of Inquiry into the difference of Practise in the Conduct of Public Worship in Churches of the United Church of England and Ireland.

Motion *agreed to.*

FRIENDLY SOCIETIES:

MOTION FOR RETURNS.

The Earl of LICHFIELD, in moving for Returns relating to members of Friendly Societies, said, there were four classes of these societies. The first were societies established for the purpose of providing assistance for the members in time of sickness, and payment of certain sums on their death. These societies were generally established for local purposes, were managed by persons living in the district, and, as a rule, were very well managed. But as, under the last Act relating to Friendly Societies, there was no legal obligation that the rules of these kinds of societies should be properly certified, he thought that an amendment was required in that respect; and he also thought that some more practical arrangement for the settlement of disputes was required. The next class presented several of the advantages of the first class, but it contained a number of members who were merely depositors. This class of societies were not even obliged to keep their accounts separate—a state of things in which it was impossible for any society to be sound; but, upon merely depositing their rules, were entitled to claim the advantages of the 44th section, and were invested with the privilege of sueing and being sued. He did not object to their having this privilege, but he thought it most objectionable that any society should receive recognition from the Registrar of Friendly Societies unless its accounts were returned and kept in such a manner as afforded a guarantee for its soundness. There was a third class of societies which he thought the Legislature ought to do everything in its power to discourage—he meant the large burial societies established in the large towns such as Liverpool and Manchester, which sometimes consisted of 150,000 to 200,000 members. These societies conducted their business by means of collectors and agents employed to collect subscriptions in different localities throughout the country. In this way the expenses of management were swollen to 25 or 50 per cent, and members residing in the more distant localities frequently found themselves without any possibility of redress as against the central society. Collectors and agents, he thought, ought in such cases to be held responsible to those whom they induced to join; and, remembering the public statement made some years ago by Mr. Gladstone, calling attention to this subject, it was surprising that some legislation on the subject had not taken place. A fourth class, who, on depositing their rules, were entitled to the protection provided by the Act, were those trade societies which were connected with trades unions. Without going into the question of the legality or illegality of any of the rules of these societies, he thought it would be clear to their Lordships that the proper time to ascertain whether the rules were or were not legal was before they were deposited with the Registrar General. If before the rules of these societies received the recognition of the Registrar General they were certified by some competent authority as legal or illegal great advantage would result, and many cases, such as had been brought before the Law Courts, in which the rules were declared to be illegal, would have been prevented. The noble Earl, in conclusion, stated that he had given close attention to this subject, and that it was his full intention to lay a Bill on the table of the House. The Returns, however, for which he asked, in the first instance, would have the effect, when produced, of calling public attention to the subject, and rendering apparent the necessity for legislation.

Return of the Number of Paupers in each Union Workhouse who have been Members of Friendly Societies which have been dissolved or broken up: And also,

Return of the Number of Friendly Societies in each County in England and Wales enrolled and certified since June 1793 (33 Geo. 3. c. 54.) to 31st May 1867; and also of the Number of such Societies which have been dissolved or broken up. —(*The Earl of Lichfield.*)

Lord PORTMAN said, that having taken an active interest in the change which was made in 1827, he would venture to suggest that his noble Friend should not carry back the scope of his inquiry to 1793, but should begin with 1827, at which period the Registrars of Friendly Societies were first appointed. As to the contemplated inquiry in the union workhouses, he had no objection to offer, but he did not think his noble Friend was likely to gain in those establishments much useful information concerning the state of friendly societies. In 1827 the question was very carefully considered whether it was possible to have tables framed so accurately that the Registrar might certify the tables as well as the rules; but it was found that it would be most unsafe to give Parliamentary sanction to any tables of this description. The difference in the value of life in large towns and in the rural districts was immense, and calculations respecting friendly societies must be based on the minimum number of contributing members. It should be remembered that the Carlisle and the Northampton tables differed considerably, and both varied from tables constructed subsequently. In fact, no tables could be framed that would be applicable to friendly societies generally. The noble Earl desired to have rules so framed that no question upon them could afterwards arise in a Court of Law; but hitherto it had been found impossible to frame any rules or laws upon which litigation did not afterwards arise, and he feared that in aiming at too much the noble Earl might defeat his own object. It was impossible that any subject more important to the comfort and welfare of the lowest classes could be taken up; and if the noble Earl needed any assistance he should be happy to afford him the benefit of any information or experience which he himself had acquired with regard to this question during the last forty years.

Lord LYTTELTON said, he had understood that Mr. Tidd Pratt had said that out of 25,000 friendly societies that had come before him, he could not satisfy himself of the soundness of twenty.

The Earl of DEVON said, there was no objection to furnishing the Returns referred to in the first part of the Motion, and he would endeavour to secure that the information was supplied as fully as possible. The latter part of the Motion referred to a department with which he was not connected.

The Earl of LICHFIELD believed there would be no difficulty in obtaining the Returns as far back as 1793, for although the whole of the Returns necessary were not in the hands of the Registrars, they were in existence. With regard to the proposal to frame tables, he did not believe any actuary in London would be able to frame a rate of payment for a place with which he was not well acquainted. The noble Lord (Lord Portman) had said that it would not be desirable to lay down rules for all cases indiscriminately; but it seemed to him (the Earl of Lichfield) that arbitration was so good a thing that a rule now in force in some societies, requiring that cases of dispute should be settled by the arbitration of certain persons neither directly nor indirectly interested in the funds of the society, might be insisted on as security for the members.

Lord PORTMAN said, that under present circumstances there was nothing members of friendly societies objected to so much as arbitration, because, although arbitrators might be appointed, they could not be made to act. Courts of Law were open to all, and if arbitration were to be really serviceable some provision should be made compelling the arbitrators to act when required.

Motion *agreed to:* Returns ordered to be laid before the House.

BUSINESS OF THE HOUSE.

MOTION FOR RETURNS.

LORD LYVEDEN, in moving for Returns relating to the Business of the House—the number of Peers who have attended each sitting, the measures passed, the number of divisions, the number of times proxies have been called and their effect upon the result of the divisions—said that in the first place he must apologize for introducing a subject which would more properly have originated with one of much greater experience. In doing so he in no wise desired to speak in the way of reproach of the manner in which the business was managed in their Lordships' House; he simply desired to make clear to their Lordships, and through their Lordships to the public, what amount of business was actually transacted in their Chamber. He did not consider that their Lordships' House ought to be regarded as a drag upon the wheel of progress, or as merely a weight on the machinery of the State. On the contrary, he thought their Lordships should transact a large amount of business of great importance. Wherever representative assemblies exist an Upper Chamber had always been deemed a necessity, as was shown by the fact that a double Chamber always formed a feature of every new Constitution framed by the Legislature for the Colonies. The only distinction between the Upper Chamber of the mother country and those of the Colonies was that the one was hereditary and the other elective; and no doubt the colonial Upper Chambers were elective, because it was impossible satisfactorily to form a colonial Upper chamber purely after the model of their Lordships' House. He did not indeed believe that in any country in the world such an assembly of men could be brought together as formed their Lordships' House. In it were to be found the descendants of the ancient nobility. Lawyers who had raised themselves by their learning and talents to the highest rank in their profession, eminent diplomatists, distinguished military men, and a bench of Bishops no less remarkable as scholars than as divines — some men eminent in commerce, others beloved for their philanthropy—so that among them were many of the most highly educated men in the kingdom: with experience gained by many in the more active arena of the House of Commons, and by nearly all in the local tribunals of their country, their Lordships' House was formed of those whose education peculiarly fitted them to fill the office of legislator. Nor were they without great rhetoricians. The noble Earl behind the gangway (the Earl of Ellenborough) was almost alone in his emphatic eloquence. The noble Earl at the head of the Government was, as a debater, not excelled by anyone in this or any assembly in the world; and generally their Lordships brought to that House an independence of action not always possessed by Members of the House of Commons. Still, with all these advantages, it was constantly asked why their Lordships' debates were not more ample, and why they were regarded with so little interest by the public? In answering this he contended that the House of Lords was not to be considered by the same standard as the House of Commons. The main reason, of course, was to be found in the position which the House of Lords occupied in the constitution, while it was notorious that the Government of the country rested mainly with the House of Commons. Ministers were naturally desirous not to bring forward in the House of Lords measures which might appear more appropriate to the House of Commons, and they were anxious first to ascertain the opinion of the Lower House upon their Bills. There had, indeed, always been a tendency not to originate measures in their Lordships' House—so much so that the subject had led to a great deal of discussion in a Committee which sat in 1861. For his own part he thought that there were several directions in which the present arrangements might be altered, and that legislation might safely be commenced in that House to a much greater extent than was the case at present. He confessed, however, that his experience did not lead him to put much faith in leaving the matter to be dealt with by a Committee; he believed that the evil might be much better remedied by their Lordships themselves taking the matter in hand. That section of the Return for which he proposed to move, relating to the attendance of Peers during the present Session, would, he believed, show that the attendance in their Lordships' House was much more constant and much larger than was generally supposed. And on this arose the question, whether they should not adopt some such course as was in practice in the House of Commons — that of requiring a certain number of Peers to be present in the House in order to the transaction of business. He did not know that such a rule would tend to expedite the public business, but it would certainly be more satisfactory to the country. The practice, which was not one sanctioned by the House of Commons, of any Peer bringing forward in a long speech a subject after giving private notice to the Minister, also damaged their Lordships' debates, for many noble Peers who would otherwise have been present, and whose opinion on any given subject was of great weight, were absent owing to the fact that they knew nothing of its being brought forward. Again; there certainly was in their Lordships' House an absence of order in the conduct of business, such as did not exist in the other House of Parliament, owing to their having no president to whom reference could be made for decision. But his chief object in bringing forward the subject was to disabuse the public mind as to the small amount of business supposed to be transacted by their Lordships' House. It was no doubt startling to read in the newspapers that the House met at five o'clock and adjourned at half-past five, leading to the inference that the Lords have done nothing, forgetting that they have nothing to do by no fault of their own. In opposition to this short sitting he would take an evening when some great question came forward. Unless a division is expected, which is seldom, the attendance diminishes at seven, and altogether disappears at eight. As the House does not meet till five, and does not begin business till a quarter past, just two hours and a half are left for the debate, the whole of which, or at least two-thirds, are engaged by the Leaders of the House, so that no young Peers have that opportunity for practice which is quite necessary to make accomplished speakers. Another reason for the diminished attendance of Peers at the sittings of the House was the mode in which private business was conducted. He thought that in spite of the able manner in which the Chairman of Committees performed his duties, the practice of selection for Committees on Private Bills at present in vogue was one which it was, at all events, advisable in some way to modify. Instead of noble Lords being canvassed for their attendance on Committees as was now done, he could not understand why a circular similar to the one adopted by the House of Commons should not be sent to every one of their Lordships, asking at what period of the Session it would be most convenient for him to attend. The present practice was most objectionable; and, as the nature of the work was of itself extremely irksome, the only plan by which it could be made tolerable would be one which would secure a regular and fair division of labour. He might, perhaps, add that he had no objection, if the noble Earl at the head of the Government thought it desirable, that this subject should be referred to the Committee which would probably be appointed in consequence of the Motion which his noble Friend (the Earl of Shaftesbury) had placed on the Paper for to-morrow. The next point to which he wished to call their Lordships' attention was the question of proxies, in which also he felt a very deep interest. And here, too, he believed the general opinion over estimated the extent to which they were employed. The use of proxies was one of the oldest institutions of the House of Lords. The first instance of the use of proxies occurred, as far as they could learn, in the time of Edward I.; but the proxies of that period were of a very different character to that used at present, for a Peer had to state the reason why the Peer whose proxy he held could not attend. According to a Return obtained by Lord Brougham in 1849 it appeared, that in the ten years previous proxies only had been used on twenty-two occasions, and of that number four measures or questions only were carried by these proxies. Owing to the diligence of one of the officers of their Lordships' House he learnt that, during the ten years subsequent to 1849, proxies had only been used nine times, and on only three occasions was the result determined by their influence—namely, the Ministers Money Bill, the Divorce and Matrimonial Causes Bill, and, thirdly, the Motion made by the noble Earl opposite (the Earl of Malmesbury) for a vote of censure on the Government of the late Lord Palmerston for their conduct in connection with the Danish Question. He believed the system itself, however, to be so anomalous that it was incumbent on the advocates of the present practice rather to offer a defence than for those who attacked it to make out their case. The impression out of doors was, that Peers held many proxies which they could use as they thought fit, and by so doing, of course, carry any measure; but since the time of Charles II. no Peer had held more than two proxies, and on certain questions they could not be used. The great mistake, however, was their use on votes of censure; but their use on those occasions did not produce any popular victory, because the fate of a Ministry did not depend upon a vote in their Lordships' House. Their Lordships' House never stood higher in public estimation than at present, and to a great extent it was the guide of public opinion in this country. It was the duty of their Lordships so to improve the conduct of business in that House as to continue to merit that good opinion, and if possible enhance it. The noble Lord concluded by moving for the Returns.

Moved, That there be laid before this House:

Return of the Number of Lords who have attended the Sitting of the House on each Evening since the Commencement of the Session; the Time each Evening during which the House has sat; the Measures passed; whether brought up from the House of Commons or originated in the House of Lords; the Number of Divisions, and the Number of Lords who voted: Also,

An Account of the Instances in which Proxies having been called the Result of the Division was such that the Majority of the whole Votes was different from the Majority of the whole Votes present and Proxies, distinguishing the Date of each Instance since 1849: And also,

An Account of the Number of Times in each Year which Proxies have been called since the last Return in 1849.—(*The Lord Lyveden.*)

THE EARL OF DERBY: I can find no fault with the noble Lord for introducing this Question. I think it is very important that the public at large should be satisfied that this House is not a mere drag upon the other House of Parliament, and that it should not think, on the other hand, that this House systematically abandons the consideration of all important measures to a small proportion of its Members, and neglects those duties which should engage the attention of those who occupy seats in this House. With regard to the particular object of the noble Lord's Motion I confess that I am of opinion that some of the information he seeks is not very valuable or important. It is not necessary, for example, to show the number of Peers who attend each particular evening, or the number of hours—or of minutes in some instances—we sit on each particular evening, because that information, taken without any explanation of the amount of business transacted, would give a false impression of the manner in which the House discharges its duties. I venture to say that, whenever any really important business comes before the House for consideration, looking to the difference of ages of the Members of the two Houses, and the number of Members of your Lordships' House who are unfortunately unable to attend in consequence of infirmity, there is a full proportion of attendance in this House compared with that given in the other House. It cannot be expected that Peers will come down to the House in large numbers in the early part of the Session, when there really is nothing before the House but mere questions of routine and minor importance are to be discussed, and nothing comes before the House attracting public attention. The noble Earl opposite (the Earl of Shaftesbury) has a Motion on the Paper for to-morrow, which he believes will have a tendency to encourage the attendance and speaking of the younger Members of your Lordships' House on ordinary occasions. Now, if that object can be attained, it will be very desirable, because I think that it is a great inconvenience and loss to your Lordships' House that the younger Peers, from whatever motives, abstain from taking part in the debates, leaving the main business to be done by the older stagers. I am not quite certain that the course which the noble Earl suggests is one calculated to have the effect he desires to produce; neither am I sure that there may not be other objections taken to it; but it is, at all events, worthy of your Lordships' consideration. The noble Lord opposite (Lord Lyveden) has stated that he has no objection to refer the subject of his Motion to the Committee to be moved for by the noble Lord opposite, if granted. As far as the Government is concerned we shall not offer any objection to the proposal of the noble Earl, nor to that of the noble Baron. On the contrary, I think it is very desirable that we should take this opportunity of inquiring into the mode of conducting business in this House; but I think that it can be more advantageously done by moving for a Committee, than by moving for certain Returns, which, unaccompanied by explanations, may lead to false and unfair impressions as to the real merits of the case. With regard to the time spent by your Lordships, irrespective of the measures brought forward, I confess I am not one of those who measure the value and importance of the duties performed by the two Houses by the time occupied in the discharge of them. I am happy to say that the *cacoethes loquendi* does not prevail in this House to the extent that it does in the other House of Parliament. There are not so many of your Lordships who are anxious to give your opinions upon every subject which is brought under discussion; neither are there so many, I am happy to say, who suggest Amendment after Amendment in Committee. Were we to follow the example of the other House we should find that passing one Bill through Committee would probably absorb the greater portion of the Session. I do not think that the time spent on a particular debate is a measure of its importance. Therefore, a Return of the number of hours occupied and the number of measures passed between February and June would give a false and erroneous impression of the amount of business done by this House, because, as the noble Lord is aware, during the early part of the Session we are waiting for measures from the other House and have nothing to do, whereas, at the end of the Session, we are overwhelmed with business which has to be got through very hastily; and I am sorry to say, that, owing to that circumstance, our duty is often very superficially performed. It is much easier, however, to point out the inconvenience than to suggest a remedy. It may be said that we might in the earlier part of the Session proceed with measures which might fitly occupy the other House at a later period. Now, it does so happen that this Session we have sent down to the other House a greater number of measures than have been sent up to us. The Bills relating to the Metropolitan Traffic, to the Public Schools, and to the Amendment of the Law, which were originated in this House during the present Session, have been sent down to the other House, where they are all tied up, and will have to remain there until July or August; when perhaps the measures which we sent down from this House in March may have to be laid aside in consequence of the other business of the House of Commons occupying their whole time. It is no encouragement to your Lordships to devote your time and attention in the preparation of measures with the perfect conviction in your minds that they will be thrown over, and that you will have to recommence your labours the following Session. Besides this, the greater proportion of the Bills which pass through Parliament contain provisions with regard to taxation or other money matters which the rules of the House of Commons — whether reasonably or unreasonably I do not pretend to say — prevent us from exercising any control over. At the same time I think it is quite desirable to ascertain whether, by any mode we can adopt, we can secure a more regular and a larger attendance of Members of this House, and whether we can take upon ourselves a larger share of the duties of Parliamentary legislation. I confess I do not see any hope of altering the existing state of things as long as the rules of the House of Commons prevent measures being brought into this House in the early part of the Session. In taking into consideration the proportionate attendance in this House and in that of the other House of Parliament, the greater age of the Members of this House—a much larger proportion of its Members being above the age of sixty than is the case in the House of Commons—should not be overlooked. And this is not unimportant with regard to the question of proxies, the greater age and the increasing infirmities of the most valuable Members of this House preventing them from attending to give their votes in person upon all occasions. I am not going to argue the question of proxies; it is, as the noble Lord says, a very ancient right of the House; but it is never used except upon very rare occasions. Indeed, proxies have only been used in two instances in the course of the last nine years.

LORD LYVEDEN remarked that there had been nine occasions within the last ten years.

THE EARL OF DERBY: There were several instances in 1857-8, when proxies were used, but within the last nine years they have only been used on two occasions. It is supposed out of doors that a single Peer can hold an unlimited number of proxies, but actually no Peer can hold more than two; and, so far from your Lordships being taken by surprise by their use, all proxies are entered in a book, with the names of those who are to use them, such book being open to inspection to all Members of the House before 4 o'clock of the day previous to that in which they are to be used. Again; on this subject it should be recollected that they can only be applied to questions of principle not of detail. Proxies cannot be used in Committee. It is no doubt most important, that on all subjects the arguments should be carefully weighed; and there is no doubt that on many great and important questions of principle your Lordships' judgment is delivered when many have not been present to hear the arguments used on that occasion; but these arguments have been probably used over and over again, and year after year. I cannot think that the use of proxies on such occasions is an improper use. It certainly is not more unreasonable than the power of pairing acted on in the other House, and according to which Members are pledged to abstain from voting until a particular hour, and then they went down to the House to give their votes without knowing the particular questions to be brought forward at the particular moment, and without having heard the arguments—or perhaps for a portion—it may be the greater portion—of a Session, by which Members pledge themselves to a particular course of action in matters of which they have at the time not the slightest conception. Again, I say, there are many most valuable Members of their Lordships' House, who, from age and infirmity, are unable to give their attendance, but whose opinions on subjects which have been discussed over and over again would be most valuable to the House, and who are enabled by the system of proxies to record their votes on such subjects. That is a very legitimate occasion for the practice of voting by proxy; and, though I do not think it of great consequence if it should be done away with altogether, yet I think there are reasons for it as applying to your Lordships' House which would not apply to such a practice in the other House. I will not enter further into the discussion of the merits of this question. I think I understood from the noble Lord (Lord Lyveden) that he would have no objection to have the whole matter referred to the Select Committee. Perhaps, then, the noble Lord will consent to withdraw his Motion for the present upon the understanding that not only his Motion, but that of which the noble Earl opposite (the Earl of Shaftesbury) has given notice for to-morrow, and the addition to be moved by another noble Earl (Earl Granville), will, with the consent of Her Majesty's Government, be referred to the same Committee. That Committee will have a full opportunity of discussing the various questions comprised in the two notices.

EARL GRANVILLE said, he was glad to hear that the Motion of the noble Earl (the Earl of Shaftesbury), together with the extension, of which he (Earl Granville) had given notice, would be acceded to by the Government. There was no doubt that there were two things upon which the public had formed erroneous notions—the attendance of their Lordships in the House, and the amount of business transacted. No doubt, the amount of business to be transacted by their Lordships must have some effect on the attendance of Peers in the House. With respect to attendance, no one could speak with more authority than the noble Earl opposite (the Earl of Derby), not only on account of his being the Leader of the Government, but because there was no Peer young or old who attended more assiduously than he did, whether in or out of office. The attendance in this House had been above the average this year, partly owing to the pressure which it was understood he (the Earl of Derby) put upon all those connected with his Government. The attendance of their Lordships depended very much upon the interest attached to the Question upon the Paper. On the one hand, if a large number of Peers came down to the House, and found nothing to do, they were not encouraged to come down the next day. On the other hand, if a noble Lord came down to the House with the intention of bringing forward some question of interest or importance, and found on his arrival only a scanty attendance of Peers, he could not feel the same desire of dealing with the matter as he would have if there were a large attendance. This year one subject alone absorbed the attention of the public—that subject could only be discussed when the Reform Bill came before the House. On other subjects, there was a desire on the Liberal side not to show any party spirit; and it would not add to, but diminish the reputation of the House, if Peers were to debate questions of no practical interest to the public at large. It was never the interest of a Government to raise discussions; it was their business to get their business done as quietly and promptly as possible. The noble Earl (who was imperfectly heard) deprecated the use of proxies, answered the reasons given for their use, and strongly recommended that the further exercise of them should be considered in the Committee. The words of reference which he had proposed were purposely vague, in order that the Committee might inquire into the various suggestions which have been made for the more satisfactory transaction of the business of the House.

Lord REDESDALE trusted that the House would not make any change in the mode of conducting the private business of that House, which, from his long experience, he thought he could say worked admirably. He believed that the mode of conducting it in connection with opposed Bills gave very general satisfaction, and he believed that that satisfaction would not arise unless the Peers who served on Committees served voluntarily. He did not think that the same service could be obtained by a system of rota as by the system of Peers serving voluntarily. It was absolutely necessary, in consequence of the great territorial connection of the Peers, that great care should be taken in the formation of Committees on Private Bills. With regard to the business of a public nature transacted by their Lordships in the present Session, he would mention among other measures one of very great importance — the British North America Bill; and, as had been already remarked, their Lordships had already sent down more business to the other House than the other House had sent up to their Lordships. He must remark that one great impediment in the way of legislation by their Lordships' House was by reason of the privileges claimed by the other House of Parliament. No one was more sensible than himself of the extreme importance of leaving all measures relating to taxation to the other House. It was true that the powers of this House were thereby limited; but still he thought it was a principle which was right in itself, and in regard to which he should not think of asking for any change to be made by the other House of Parliament. With respect to the question of rating, however, it appeared to him that it involved no principle whatever; and there were certainly many measures of local importance which might with advantage be originated and dealt with in that House; and yet even when such Bills came up from the other House they were crippled with reference to Amendments by this claim of privilege. That question had nearly been given up by the House of Commons a good many years ago. A Committee passed a Resolution in favour of relaxing the rules on the subject; but, unfortunately, they reconsidered the Resolution, and the result was that it was not inserted in their Report. The House of Commons had, however, relaxed their privileges in order to enable that House to commence a portion of the private business; and no objection had since been raised in the other House on the subject. He hoped that the House of Commons would take into consideration their privileges respecting local taxation and rating in a manner which would tend to improve legislation in both Houses. As to proxies, perhaps, nobody had had more experience of them than himself, he having been "whip" throughout the stormy political period which followed the passing of the Reform Bill. He confessed he thought there was a great deal to be said in favour of proxies, and that what had been said against them proceeded in great degree from theory and not from a practical knowledge of the conduct of business in the House. People were in the habit of talking about decisions being come to by Peers who had not heard the debates; but, as a plain matter of fact, did not everybody know beforehand how every Peer would vote on questions of importance? As an example of this he might refer to the question of foreign policy raised by the noble Earl who had just sat down. They might depend upon it that every vote given by proxy upon that occasion—which was a party occasion — would have been precisely the same if every Peer had heard the debate. There were, indeed, a certain number of persons who did not hold very decided views, and whose decision might be influenced by a discussion. Some, perhaps, would call them crotchetty and others undecided. Well, this was the very class of Peers who gave their proxies only upon condition that they should be used very carefully, and they usually placed them in the hands of some Peer in whom they reposed confidence. Another point concerning proxies deserved consideration. If a Member of the other House obtained an appointment abroad, he vacated his seat, and his place was at once filled up. In the House of Lords, however, the state of things was altogether different. If a Peer were appointed to a foreign mission, his party would be deprived of his vote altogether unless he were allowed to give it by proxy. Suppose, then, that proxies were abolished, it might possibly happen that the best men would not be appointed to important offices — such as that of Lord Lieutenant of Ireland, or of Ambassador at Paris — on account of the Government being unwilling to lose their vote in that House. He thought, on the whole, that voting by proxy was a very useful arrangement. As, however, there appeared to be a great desire that the subject should be investigated, he should be glad if it were referred to a Committee, although he thought the discussions of questions of that kind in the House itself was of more importance than a discussion before a Committee. The real use of any inquiry was to enlighten the public mind in regard to the way in which the business of their Lordships' House was conducted. He thought that a little discussion would be productive of much good, and was glad, therefore, to have had this opportunity of making known his views on the subject.

THE EARL OF KIMBERLEY said, he paid great deference to the large experience of the noble Lord (the Chairman of Committees) in matters of this kind, but it certainly appeared to him to be not consonant with the dignity of their Lordships' House, or conducive to the proper transaction of business, that the attendance of Peers on Committees should be entirely voluntary. It would be invidious to mention names, but he might remark that some noble Lords scarcely ever attended that House who were just as able as other noble Lords to take a part in the transaction of business. It was not right that those noble Lords should entirely absent themselves. The noble Lord who had just spoken seemed to think that the attendance of noble Lords on a rota would not secure the efficiency of Committees. He, however, would suggest that at the commencement of every Session, as was done in the other House, an "Excused List" should be made out, and that the names of all Peers who so desired should be placed upon it. ["Oh, oh!"] Well, if any noble Lords desired to be excused, their wishes ought to be taken into consideration. They might be excused on account of great age and other reasons. And he might here remark that Members of the other House not unfrequently obtained leave of absence. He hoped that this question would be discussed by the Committee, and that his suggestion should be adopted. In speaking of proxies he thought the noble Lord had overlooked the moral effect produced by the system in the mind of the public out of doors, who had become impressed with the idea that questions were decided in that House without debate, and by the votes of absent Members. The existence of such an idea obviously tended to lower that House in the estimation of the public, and he thought therefore that it would be exceedingly desirable to abandon the ancient practice of voting by proxy.

THE EARL OF CARNARVON desired to call their Lordships' attention to the fact that in former times a very large proportion of their Lordships' House was composed of ecclesiastics. No doubt considerable jealousy existed as between the spiritual Lords and the Lords temporal; and while, on the one hand, the spiritual Lords were anxious to bring their numbers to bear on the deliberations of the House with respect to matters in which they felt interested, it constantly happened that the temporal Lords were absent by order of the King for the discharge of duties in other parts of the kingdom and elsewhere. In that way voting by proxy commenced, the object being to enable the spiritual Lords to express their opinions, and that the Lords absent on the King's service should be able to record their opinions in Parliament. But if their Lordships looked back through the Journals he thought they would find that the proxy system had been regarded by the House in the interest of the House itself, and not in that of the individual. There was a rule that the proxy of a temporal Lord must always be held by a temporal Peer, and that the proxy of a spiritual Peer must always be held by a spiritual Peer. The great principle which underlaid the proxy question was this—that the use and exercise of the proxy was the privilege of the House, and not a privilege of the individual. But in the course of time that which had been the privilege of the House became absorbed in the consideration of the personal convenience of the individual. Various Motions and Orders had been made on the subject. In the reign of Elizabeth a Motion was made by the Lord Keeper that the Gentleman Usher might be sent to such Lords as were absent from Parliament, and had not sent their proxies, "to admonish them thereof." They were not to be admonished because they had been absent from Parliament, but because they had not sent their proxies. Several Motions were made during the 17th century, all of which bore more or less the same character as that to which he had just referred. At the end of the 17th century these questions were raised—"First, whether proxies of Peers absent without leave of the House or of the King be allowed; second, whether proxies of Peers absent without the King's leave, but with leave of the House, be allowed; third, whether proxies of Peers absent without leave of the House be allowed." All those questions were resolved in the affirmative. He concurred in what had been said as to the direct importance of proxies being very much overrated. Of late years they had been used only very sparingly. But he thought their indirect influence had a very prejudicial effect. They had a prejudicial effect on the opinion of the public out of doors, who did not very well understand the character of the proceedings in their Lordships' House. The use of proxies gave rise in the public mind to the idea that their Lordships were in the habit of deciding matters, not on the merits, but on grounds of previous prejudice, and that proxies prevailed against the views and votes of the Peers who were present at divisions. Again, the system was unfortunate as regarded Members of the House. It tended to create in the minds of young Peers the belief that their presence in their places there was a matter of indifference. He knew there were several Peers who, had they attended that House habitually and taken part in their Lordships' deliberations, would have become valuable Members; but they thought they saved their consciences by placing their proxies in the hands of some noble Lord in whom they had confidence, and having done that they absented themselves. He need not point out how certain it was that if the first few years of a Peer's life were allowed to go by without his attendance in their Lordships' House, the habit of non-attendance became fixed. In that way their Lordships lost the services of men who would be most useful. A great many changes had been made in respect to their proceedings within the memory of living men. It was only within the last five-and-twenty years that the Minutes of that House were first printed. It was within a shorter period the *agenda* paper had first been drawn up and circulated. It was only within a very few years divisions in their Lordships' House had been taken on the present plan. Before that time the votes were taken on a division just as the Peers sat, and much confusion had frequently resulted from that system. The late Earl Stanhope induced the House to alter their practice so as to make it in accordance with that of the House of Commons, and he believed no one regretted the change. He felt convinced that a change from anything that was unsubstantial and unreal would be of service to that House and to the country. Nothing appeared to him to be so fatal to efficiency as a sense of want of reality. If they made it clear to the Peers of England that there was a real obligation and responsibility attached to their position as Members of that House, he was sure that in the spirit which actuated Englishmen generally they would come forward and do their work well and effectually.

Motion (by Leave of the House) *withdrawn.*

GRAND DUCHY OF LUXEMBURG.

OBSERVATIONS.

EARL RUSSELL: My Lords, I rise to call your Lordships' attention to a very important treaty in reference to Luxemburg, and very important papers in conection with that treaty which have been presented to Parliament. It appears to me that there are recorded in these papers facts of great importance, for, as your Lordships are aware, a war was on the point of breaking out in Europe, but that that war has been prevented by the diplomatic efforts of the neutral Powers in a conference recently held in London, that I think it is fitting that in your Lordships' House, two or three Members of which have held the office of Secretary of State for Foreign Affairs, we should take some notice of the circumstances to which I have just alluded. I will not make any particular Motion on this subject, nor will I trespass long on the attention of your Lordships, being warned by the fact that the attendance is not now so full as it lately was, that the present moment is certainly a critical one. There were two subjects which must have engaged the attention of Her Majesty's Government in connection with this question of Luxemburg. One was, whether it was so much for the interests of this country that the peace of Europe should be preserved as to induce Her Majesty's Government to interpose its diplomatic offices; and the other was, whether, to maintain peace in Europe, we might not have to pay a higher price than the product was worth. With regard to the first question it has always appeared to me that it is the peculiar and very great interest of this country to preserve the peace of Europe. In the first place, as a commercial country it is of the greatest possible interest to us that peace should prevail. Not only would our commerce be interrupted by the blockade of ports, but many difficult questions must necessarily arise relating to our ships and commerce, which might endanger our neutrality. Again, if war had broken out between France and Prussia, there was every probability that before any long time had elapsed other questions would have arisen in which our honour was so far pledged that it would have been impossible for us not to have intervened. For these reasons I think Her Majesty's Government were quite right in deeming it their duty to offer such advice as lay in their power, with a view of preserving the peace of Europe. The question itself was one peculiarly for conference and arbitration. No one, I think, will find fault with the Prussian Government for saying that Luxemburg was by the treaty of 1839 assigned to Germany, not because there was a German Confederation, but because it was a German interest; and I find in the course of the negotiations which took place in 1839 that there was one moment when Belgium having threatened to seize Luxemburg, the German Confederation, with the consent of the Conference of London, declared their intention to send an army to Luxemburg for the purpose of defending and preserving that country to Germany. It was therefore obviously impossible for Prussia, without some advice from the neutral Powers, to accept worse terms than the German Confederation had accepted with regard to Luxemburg. On the other hand, there was, I think, a just susceptibility on the part of France at seeing Luxemburg about to be transferred from the German Confederation, which, as a body, was so inert and pacific as not to excite any apprehension, to a great military power like Prussia, from which there might, perhaps, be fear of aggression. Therefore, both in one case and in the other, there was very great need of some interposition of a friendly Power, and if possible that some terms should be agreed upon which both parties could adopt with honour. I happened this morning to be looking at some old despatches of M. Barillon in the time of Louis XIV., which are very characteristic both of that monarch and of Charles II. Louis XIV. declared his wish to seize Luxemburg, and Charles II. consented to the transaction on condition that a million of livres should be transferred to the Royal Treasury. The terms proposed at the recent Conference were, that the fortress of Luxemburg should be abandoned by the Prussian troops; and, further, that the territory of Luxemburg should not only be assured to the King of the Netherlands as his property, but that its neutrality should be guaranteed, and the fortress demolished. These are conditions which were, I think, very properly supported by the present Foreign Minister, in view of the dangers which it was sought to avoid. I cannot consider that we have entered into a treaty which is likely to be infringed, or that any great danger has been incurred by our entering into an additional guarantee. I do not consider that we have entered into any new guarantee which is likely to prove onerous. I believe there is every probability that the peace of Europe will be continued. But even if Prussia and France were at war I do not think that either of them would be disposed to violate the neutrality of Luxemburg, because they would have to consider that by doing so they would provoke the interposition and hostility of the great Powers who have consented to give this guarantee. I am therefore of opinion, and I venture to state that opinion to your Lordships—in the first place, that it was most desirable to maintain the peace of Europe; and next, that we have not made too great a sacrifice to maintain that peace, and have not entered into any guarantee involving probable danger, or into any engagements that can be blamed or found fault with. I will say, and I am most happy to say, that the ability, the judgment, and the temper with which the Secretary of State for Foreign Affairs has conducted this correspondence and the manner in which he behaved in the Conference will give to Parliament and to the country great confidence in his conduct of foreign affairs. In the next place I desire to express my satisfaction that the Government has not listened to theories which last year I was somewhat apprehensive that they might have entertained, under the name of a new foreign policy — that however great our interest might be, we were not to interfere in the affairs of foreign countries. I am happy to find, on the contrary, we have continued, in the diplomatic correspondence which has lately taken place, the great work and the great policy with respect to Luxemburg and Belgium, in which, from 1830 to 1839, Lord Palmerston displayed such extraordinary ability, and by which he obtained so important and glorious a result. These are the only observations that I feel to be necessary.

I am sorry to have troubled your Lordships at such length; but it seems to me that this House should take some notice of a matter of such very great consequence; and, for my part, I am ready to commit myself to an entire approbation of the policy that has been pursued.

LORD HOUGHTON said, that he was on the Continent at the time when the Conference met, and on all sides he heard gratitude expressed for the English intervention. That gratitude was expressed not only by persons in high position, but by others who might be considered exponents of public opinion at large; and the expressions were as earnest and deep as their Lordships could desire. The satisfaction felt at the conclusion of that Conference was real and profound, and most honourable to the character of the statesman who conducted the negotiations. He had, indeed, been somewhat amused at hearing it said on all sides, that at last our foreign policy had undergone a complete change—that England no longer abstained, as she had done, from taking part in European affairs, but had resumed her place in the councils of Europe; for, remembering the frequent charges which had been brought against his noble Friend who had just sat down, of continued meddling in the affairs of Europe, it was somewhat strange that those allegations should now be made. He did not say that in any hostility to the course which had been pursued by the present Secretary of State for Foreign Affairs, for he must admit that throughout the whole of these negotiations his noble Friend had exhibited talents equal to the distinguished position which he occupied. At the same time, it was not wise for their Lordships to conceal from themselves or the country that a serious responsibility had been undertaken. He did not think with his noble Friend (Earl Russell) that the contingency was so remote. From the geographical position of Luxemburg it was almost impossible for hostilities to break out between France and Germany, and for the integrity of Luxemburg to be absolutely preserved. These considerations formed so large a part of the Luxemburg question that they inclined both parties to be anxious for a material guarantee. When the Prussian Minister found that the feeling of the German people was so strongly roused on this question of Luxemburg that he would have had very great difficulty in carrying out what were alleged to be his own views—namely, the cession of Luxemburg to France by the King of Holland—a Committee was appointed, consisting of the ablest of the Prussian military men, to report upon the matter. He believed the report they made was to the effect that the position of Luxemburg was so important that the Prussian generals could not undertake to defend the left bank of the Rhine if the fortress of Luxemburg were in the hands of France. On the other hand, a well-founded impression existed among French strategists that the position of the fortress of Luxemburg, if occupied by a hostile force, would be most dangerous to the arms of France. Under these circumstances he believed that, though Her Majesty's Government had undertaken a very serious responsibility, they were right in so doing. They had now the satisfaction of knowing that both France and Prussia were anxious for the neutrality of Luxemburg, and he believed that in expressing their anxiety in this respect they were simply the exponents of the desire of the people of France and Prussia to avoid occasion for future hostilities. In this lay their Lordships' hope for the future well-ordering of this matter. It was evident that no French or German statesman believed that a Continental war could be undertaken without causing an amount of misery and mutual loss which could never be compensated for by any territorial gain. He was happy to say that he found that feeling prevailing in the States of both countries. With regard to the conduct of Her Majesty's Government in reference to this matter, he wished to express his entire satisfaction, and he hoped the Government would carry out what he believed to be a really sound foreign policy. He would not have us retreat from our great mission in the councils of Europe; but, whenever it was necessary to interfere, we should interfere with the full sense of our own responsibility and resources, and in the meantime talk as little as possible about non-intervention.

THE EARL OF DERBY: I have to return to the noble Earl (Earl Russell), on behalf of myself and Colleagues, our most sincere thanks for the manner in which he has confirmed the policy of Her Majesty's Government, and also my personal thanks for the manner in which he has spoken of the conduct of the Secretary of State for Foreign Affairs. It must be gratifying to Her Majesty's Government to know that on both sides of this and the other House—and he thought that in saying this he was entitled to add in this country and in Europe—that the course pursued with reference to the Luxemburg question has given general satisfaction; it must be much more gratifying to me personally to know that a great portion of the praise which has been bestowed upon the Government has fallen upon one to whom I am as nearly connected as to Lord Stanley. The question we had to decide was naturally difficult. As the noble Earl has said, there were two questions we had to consider—first, whether it was desirable that we should take measures to avert a war; and, secondly, whether, the peace of Europe having been secured, we have paid too great a price for it. As to the first of these points I can only say, that if any hope existed two months ago of securing a peaceful settlement of the Luxemburg question by our interference, we were not only justified in interfering, but should have been absolutely unjustifiable if we had not done everything in our power to do so. Undoubtedly, the peace of Europe was at that time threatened. The noble Earl (Earl Russell) has stated that the grounds of dispute were reasonable on both sides. On the one hand, there was a reasonable apprehension that the transfer of Luxemburg to Prussia might have been a source of menace to France; and, on the other hand, Prussia was naturally reluctant to part with a fortress which was not only valuable for defensive purposes but for offence also, and which, as it was not now under the control of the German Confederation, might be used as an instrument for preventing an inroad upon them from France. And we must recollect that the feelings of both countries were greatly excited by the extraordinary and almost unparalleled success which had so recently attended the Prussian army. On the other hand France felt that she had a dangerous neighbour in her front, and it was to be feared that the successes of Prussia would lead her people to be ambitious of still further aggression. Consequently, there was very little hope of preserving the peace of Europe if hostilities were once commenced between the two countries; and in prosecuting our anxious task of concerting with other neutral Powers to secure peace we met with serious difficulties—for we did not feel justified in entering into a Conference unless we saw some basis on which to treat. But when we had once found a basis we entered into the Conference, having great hopes that the peace of Europe might be maintained. I must say that the moment France saw the danger to the peace of Europe, which she was most desirous of avoiding, she at once withdrew from her position, and disclaimed a desire to enforce the purchase of Luxemburg; and Prussia, though at first hesitating, finally assented to withdraw her garrison on the condition that the fortress should be demolished and that the territory should be declared neutral. Thus the great calamity of a European war was stayed for the time, and still stronger hopes were entertained of the ultimate success of the neutral Powers. A proposal having been made which was accepted as satisfactory to the honour of both parties, we felt that it was incumbent upon us not to shrink from any responsibility which might attach to an additional guarantee on our part if that would secure the final acceptance of the proposal—especially when we knew that if we had refused nothing could have prevented war. The collective guarantee of the neutral Powers was made a *sine quâ non*, and if England had refused to join, upon England would have rested the heavy responsibility of a European war. The noble Lord who last spoke (Lord Houghton) seems to think that the guarantee goes much further than it really does. I do not entirely agree with the noble Earl (Earl Russell) as to the extent of our responsibility, even supposing it to be of the character he has described. If it had been a continuance of the guarantee first given, I should think it a very serious matter, because the guarantee of the possession of Luxemburg to the King of Holland was a joint and several guarantee similar to that which was given with regard to the independence and neutrality of Belgium; it was binding individually and separately upon each of the Powers. That was the nature of the guarantee which was given with regard to Belgium and with regard to the possession of Luxemburg by the King-Duke. Now a guarantee of neutrality is very different from a guarantee of possession. If France and Prussia were to have a quarrel between themselves, and either were to violate the neutrality of Luxemburg by passing their troops through the duchy for the purpose of making war on the other, we might, if the guarantee had been individual as well as joint, have been under the necessity of preventing that violation, and the same obligation would have rested upon each guarantor; but as it is we are not exposed to so serious a contingency, because the guarantee is only collective—that is to say, it is binding only upon all the Powers in their collective capacity; they all agree to maintain the neutrality of Luxemburg, but not one of those Powers is bound to fulfil the obligation alone. That is a most important difference, because the only two Powers by which the neutrality of Luxemburg is likely to be infringed are two of the parties to the collective guarantee; and therefore, if either of them violate the neutrality, the obligation on all the others would not accrue. I thought it right to point out that we had not incurred so very serious a responsibility as some have supposed; but I will say no more, except to repeat the thanks I owe to the noble Earl opposite, and express the extreme satisfaction with which I view the probable result of our interference. I refer to the prospect of long-continued peace between two Powers so formidable as France and Prussia.

THE EARL OF CLARENDON: I cannot, my Lords, allow this discussion to close without expressing my cordial concurrence in what has fallen from my noble Friend (Earl Russell) with regard to the part which my noble Friend the Secretary of State for Foreign Affairs has taken in the conduct of this matter. No one, perhaps, in his position could have a greater personal interest in averting war, and he best performed the duties attached to his office, as I think, in not proffering the services of this country too hastily, and I think his judgment and caution in not entering into a Conference before he had a good assurance that the decision arrived at would be accepted as final by the parties concerned were remarkable. It was through the instrumentality of the Conference that France and Prussia were enabled to make those mutual concessions and sacrifices which would probably not have been made without. Now, the apprehension which has been expressed with regard to these guarantees is, I think, a perfectly just one; because such obligations are naturally viewed with fear and mistrust by the people of this country. They are sometimes lightly undertaken and are generally intended to tide over a difficulty; while there is at the same time generally a mental reservation founded on the belief that no demand will ever be made for their performance. I hope, however, that the time is far distant when from motives of cynical indifference this country will hesitate to incur the smallest sacrifice which may be necessary for securing such great advantages, and I think my noble Friend was perfectly right in the course he took after weighing the infinitesimal risk which England would incur by the course which has been adopted against the certain injury which would be inflicted upon this country by war between France and Prussia. Besides, had that war broken out it would have been extremely difficult—or rather it would have been almost impossible—to make these two Powers believe that we honestly carried out the neutrality we profess, and there can be little doubt that the blame would by these two Powers have, to a great extent, been thrown upon England. With regard to the guarantee, I will go somewhat further than the noble Earl at the head of the Government, and say that if we had undertaken the same guarantee in the case of Luxemburg as we did in the case of Belgium, we should, in my opinion, have incurred an additional and very serious responsibility. I look upon our guarantee in the case of Belgium as an individual guarantee, and have always so regarded it; but this is a collective guarantee. No one of the Powers, therefore, can be called upon to take single action, even in the improbable case of any difficulty arising. I cannot help regarding this guarantee as a moral obligation, a point of honour—as an agreement which cannot be violated without dishonour by any of the signing Powers; and I believe that an agreement of that nature may be more binding than the precise terms in which a treaty is couched, for it is a characteristic of these times that when formal treaties are found inconvenient, they are disregarded. It was probably for this reason that Prussia preferred an arrangement of this kind. The Conference itself has, I think, proved in one more instance the soundness of the principle laid down at the Congress of Paris—that nations between whom any serious difficulty has arisen ought always before resorting to arms to appeal to the friendly offices of neutral States. The success in this case will, I hope, lead to a more general adhesion to that principle. In the case of Denmark the war had already commenced before a Conference was held. An armistice and a reference to the neutral Powers were agreed upon, and even in that case the result might have been an advantageous one but for the conduct of Denmark herself. No one has since regretted more than Denmark that she refused the friendly advice offered to her. In the same way, too, after great preparations had been made between Austria and Prussia for a struggle, which it was generally believed would be a very protracted one, it was by Austria that the offers of mediation were rejected. War actually broke out, with what result your Lordships are all aware; and it may not be uninstructive to note that the two Powers which suffered most were those whose conduct rendered the Conferences abortive; whereas, on the other hand, by referring their differences to arbitration the monarchs of France and Prussia have not only been able to adjust their disputes in an honourable and satisfactory manner, but have shown that they are fully alive to the obligations of Sovereigns not to plunge their people unnecessarily into war, while they have, at the same time, earned for themselves the gratitude of their subjects without the assistance of any territorial aggrandizement.

EARL GRANVILLE: I wish to say one word with regard to a difficulty which has suggested itself to my mind in the course of this discussion, and which I think may also occur to the unassisted mind of the public. I certainly agree with the greater part of what the noble Earl has said; but I cannot help thinking that the noble Earl rather over-proved his case with regard to the liability of this country, although the view which he takes of it has been entirely adopted by my noble Friend behind me. If Her Majesty's Government instead of increasing our liabilities have actually diminished them, it appears to me, as it will appear to most people, that there has been the most complete mystification of some of the most distinguished diplomatists of Europe ever heard of.

THE EARL OF DERBY: We have diminished our liability as regards the Duchy of Luxemburg; but this treaty does not diminish our obligations under the treaty of 1839.

EARL GRANVILLE: Still the explanation we have heard this evening is scarcely in accordance with the interpretation generally given to a guarantee of this sort; and after the statement of the noble Earl it appears to be so utterly free from danger, that it is difficult to understand the importance which Prussia attached to it. That she did attach that importance to it is certain, else why on earth should she regard it as a *sine quâ non* without which she was prepared to go to war with the greatest military nation in the world. And I cannot also understand, if the increase of our liability be so infinitesimal, why a Secretary of State, of so good and sagacious a mind as that possessed by the noble Lord at the head of the Foreign Department, should inform the House of Commons that the decision at which he had arrived was a more painful one to him than any previous decision which he had ever made. What could there be painful in deciding to do that which secured the peace of Europe at no cost, or at an infinitesimal cost to this country? I merely refer to this because I do not see how the public at large are to understand this explanation. Having very carefully read the papers, I believe that an undesirable increase has taken place in the liabilities of this country, and, in spite of these rather fanciful interpretations as to how far we are bound by treaties, it is possible that we may have rendered ourselves liable at some future time to practical inconvenience, or the risk of being considered unfaithful to our agreements. I have read the papers with care, and I am bound to say that I see nothing in them which I do not approve. I should be glad, however, to learn from the noble Earl at the head of the Government whether there is any truth in the report, which to my knowledge has gained considerable currency in the diplomatic circles on the Continent, that the British Government has not acted in this matter so firmly as might have appeared; that although at the beginning of the negotiations they agreed to the guarantee, they afterwards withdrew from that position, and that it was only at the last moment and under a threat of a very peculiar character, they consented to the guarantee again. He was glad to see the noble Earl shake his head authoritatively in reply to that statement. He admitted that there was nothing in the papers that justified the rumour, but it was generally credited upon the Continent.

THE DUKE OF CLEVELAND thought that the Government had acted quite right in accepting the responsibility of the collective guarantee; but he had heard with equal surprise and pain the attempt that had been made to fritter away that responsibility; for, if they were to accept literally the statement of the noble Earl at the head of the Government, which also had been confirmed by the noble Earl the late Secretary for Foreign Affairs, England had really incurred no responsibility at all. But, in that case, it was clear that Prussia had been misled, for she had declared in express terms that nothing short of a European guarantee would reconcile her to the proposal of the Conference; and it was somewhat unexpected now to be informed by the noble Earl that no engagement carrying with it any real responsibility had been entered into. He desired to express his approbation of the labours of the Conference, and of the eminent ability with which they had been conducted by the noble Lord the Secretary of State for Foreign Affairs.

VISCOUNT STRATFORD DE REDCLIFFE said, that the unfavourable opinions which he had always entertained respecting guarantees had been amply confirmed by what he had heard that evening; but at the same time he was under the impression, which seemed to be general, that whatever responsibility we had incurred was incurred upon good and sufficient grounds. If he were to enter into any argument respecting the grounds on which the outbreak of hostilities between Prussia and France was anticipated, he should feel bound to say that the causes alleged were neither just nor necessary; but, however insufficient these grounds, the general opinion was that hostilities were imminent, and the fact that this belief prevailed, and that it was based upon good grounds, completely justified the English Government in taking part in the Conference. He must also say that the praise was well and justly earned which had been so liberally bestowed upon the Minister by whom England was represented in that Conference. For his own part, indeed, the success of the noble Lord was no surprise to him. It was only the realization of what he had always anticipated from the noble Lord, and it was a most gratifying circumstance that, among the young men of the time who were distinguishing themselves in public life, there was at least one who showed the elements of statesmanship, and at whose hands the country might reasonably hope, in years to come, to receive eminent service. And upon one point there could be no doubt—namely, that by the prevention of the war which threatened to break out, England had conferred upon Europe an obligation of the first magnitude.

THE DUKE OF ARGYLL said, it was of great importance, not only to England but to the Continent generally, that the interpretation put by the English Government upon the engagement entered into should be accurately known. The whole difficulty and danger to avert which the Conference met, arose from the jealousy between France and the united German nation, represented by Prussia, in respect to Luxemburg—a district which, independently of its fortress, would always be a strong military position. Each of those Powers was afraid that its antagonist might seize that position. Now, in the event of a quarrel between these two Powers, and supposing that France were to invade Luxemburg, he desired to know whether or not Prussia would have the right to call upon the other Powers, parties to the guarantee, to drive France from that position? According to the interpretation given by the noble Earl at the head of the Government, no such right would exist, because, according to the noble Earl, France being one of the guaranteeing Powers, and herself creating the wrong, would release the other Powers from their engagement. But, if this were the fact, did it really amount to an engagement at all? And what was the explanation to be given of the language of Prussia as expressed in the printed correspondence on the table? Their Lordships who had read the papers would remember that our Foreign Secretary had, in the first instance, prepared the draft of a treaty not strictly in the nature of a guarantee, but rather a recognition of a moral engagement or understanding between the great Powers of Europe that Luxemburg should be neutral territory; but Count Bismarck, when he saw it, objected that it was not a guarantee, but only an implied moral engagement that each of the contracting Powers would for its own part respect the neutrality of Luxemburg. It was on this specific ground that Prussia insisted upon an European guarantee and the British Foreign Office gave way, consenting to convert the stipulation into a guarantee; but, if he rightly understood the observation of the noble Earl, the demand of Prussia had, after all, been successfully evaded, and England had taken no obligation upon her. It was obvious that, as all the great Powers were parties to the treaty, Luxemburg, if attacked at all, would be invaded by one of the guaranteeing Powers, and in that case none of the other guaranteeing Powers could be called upon to secure her neutrality. But this reduced the whole thing to a sham, and a farce; it was not a guarantee at all, and it ought to be clearly understood, both by England and by the Continent, that we did not consider ourselves bound to interfere with the military possession of Luxemburg unless it was attacked by some Power not a party to the treaty. As such a contingency was impossible to be anticipated, he must congratulate the noble Lord at the head of the Foreign Office with having obtained an important object with the minimum of sacrifice; but he was of opinion that the fact should be clearly stated to the House. He did not object to such an interpretation of the force of the guarantee which the noble Secretary for Foreign Affairs stated that he took three days to consider before assenting to. Generally speaking, guarantees were dangerous and entangling, but in such a case as this the distant and contingent danger might be well incurred in order to avoid an immediate European war.

THE EARL OF **DERBY**: I do not think that Prussia would feel particularly complimented at the suggestion of the noble Duke, that the members of her diplomatic body are quite ignorant of the difference between a several and a collective guarantee. In fact the difference between these two forms of guarantee, in respect of the obligation imposed upon the co-guaranteeing Powers, is quite well understood. The reluctance which my noble relative expressed in the House of Commons, was to enter into any engagement which even in appearance threw an additional responsibility on this country; for he knew how much this country dislikes the idea of guarantees, and he shrunk from making use of that expression, lest it should arouse a hostile feeling to the proceedings of the Conference. The noble Duke is quite correct in his interpretation of the treaty, except as regards the demolition of the fortress. It is quite true that, if France were to invade the territory of Luxemburg, the other Powers, though they might be called upon to resist the invasion, would not be bound to do so. They might or might not think it proper to defend the neutrality of Luxemburg, but no individual Power could be compelled, under the treaty, to render assistance.

EARL **RUSSELL**: I just rise to say that I do not put the same interpretation upon the treaty as the noble Earl does. My belief is that if France were to violate the treaty and invade the territory of Luxemburg, the other Powers who are parties to the treaty would feel bound to call upon France to retire.

THE INSURRECTION IN CRETE.

QUESTION.

THE DUKE OF **ARGYLL** asked the First Lord of the Treasury, Whether any further Communications have passed between Her Majesty's Government and the Governments, or any of them, of the great European Powers, in reference to the existing Insurrection in the Island of Crete? A statement had appeared in the public journals to the effect that the English Government had been requested by the other Powers to unite in a joint-representation to the Porte, respecting the insurrection in Crete, and that Her Majesty's Government had not thought proper to accede to the request. He wished to know if this was correct. In the course of the day, a later telegram had arrived, to the effect that a representation of this nature had been made to the Porte, though without Great Britain taking any part in it; that it included a proposition for the suspension of hostilities, and that the Government of the Porte had consented to this request of the united Powers. He should be extremely glad to know that this statement was true. In consequence of some observations he had made on this subject in the early part of the Session, he had received from many sources, both at home and abroad, and even from Crete itself, abundant information as to the progress of affairs in the island; and he was convinced, after making every allowance for falsehood and exaggeration, that the war had been carried on with great cruelty and brutality on the part of the Turkish troops. Individual stories of atrocities might be unfounded; but he had good reason to know that many acts of gross cruelty and barbarity had unquestionably been committed; and, unfortunately, the inevitable horrors of war were stimulated, in this instance, by the animosities of race and religion. Among other things, the systematic devastation of the country had been carried on contrary to the humane practice of civilized warfare, and the olive and mulberry trees, the produce of which formed a principal article of commerce to the inhabitants, had been designedly cut down, thus exposing to ruin and starvation, not only the present generation of islanders, but also their innocent posterity for years to come. The European Governments naturally felt that they were under some special responsibilities in the case of Crete, which did not apply as regarded the other dependencies of the Turkish empire. It was natural, therefore, that they should unite in an attempt to bring these calamitous occurrences to a close, and he should be glad to hear that a joint representation had been successfully presented, even though this country had taken no part in it. If this statement was true, not only the Turkish soldiers, but their officers, must be responsible for their destruction.

THE EARL OF DERBY: I am afraid that in some instances great excesses have been committed by the Turkish troops: but from accounts which we have received from various quarters respecting the whole transactions of the war, we think that the Cretans keep up very much the character which they gained 2,000 years ago for want of veracity. It is actually impossible to give the slightest credence to any account of any transaction, or supposed murder, massacre, or burning, which I believe have no origin except in the imagination of those who relate them. The noble Duke does Her Majesty's Government no more than justice when he says that they are desirous of putting an end to a war which threatens such disastrous consequences. It is true, however, that her Majesty's Government have not felt justified, in their present relations with Turkey, to take the same active steps as have been taken by the other Powers with regard to the representations which they have made to the Porte. Her Majesty's Government have never ceased in a friendly manner to recommend to the Porte measures of amelioration of the condition of the Christian subjects of the Porte in all parts of the Turkish dominions, and they have urged upon them various reforms — I hope not unsuccessfully. Her Majesty's Government have even represented to the Turkish Government that it would be much more for their advantage if they would grant to Crete an autonomy. To that recommendation Turkey has not seen fit to accede, and Her Majesty's Goverment did not feel justified in making propositions to Turkey in the form of an identic Note, unless they had reason to hope that the Porte would be disposed to receive those recommendations favourably. I believe a Note has been sent in; but up to five o'clock this evening we had received no information, by telegraph or otherwise, as to whether an answer to it had been returned. The last information we had was that no answer had yet been received from the Porte to the identic Note which had been sent in.

LUNACY (SCOTLAND) BILL [H.L.]

A Bill to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in Scotland may be granted—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 163.)

House adjourned at half past Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 20, 1867.

MINUTES.] — SELECT COMMITTEE — On Paris Exhibition *appointed.*

PUBLIC BILLS—*Resolution in Committee*—Courts of Law Officers (Ireland) [Salaries and Fees] [R.P.]

First Reading—Office of Judge in the Admiralty, Divorce, and Probate Courts * [203].

Second Reading—Poor Law Board, &c.* [193]; Common Law Courts (Ireland) * [48].

Committee—Representation of the People [79] [R.P.]; Land Tax Commissioners' Names * [31]; Galway Harbour (Composition of Debt)* (*re-comm.*) [200]; British White Herring Fishery * [173]; Lis Pendens * (*re-comm.*) [153]; Master and Servant * [105].

Report—Land Tax Commissioners' Names * [31]; Galway Harbour (Composition of Debt) * (*re-comm.*) [200]; British White Herring Fishery * [173]; Lis Pendens * (*re-comm.*) [153]; Master and Servant * [204].

Third Reading—Local Government Supplemental (No. 3) * [187]; Local Government Supplemental (No. 4) * [191].

Withdrawn — Church Discipline Act Amendment * [124].

PRIVILEGE—MEMBERS' SEATS IN THIS HOUSE.—OBSERVATIONS.

MR. DARBY GRIFFITH said, he desired to call the attention of the House to a question of order and privilege, as regarded the right which hon. Members could claim to particular seats in the House. By Standing Order 85 any Member present in the House at prayers was entitled to secure a place by affixing his name to a seat, and by Standing Order 86, which was made on the 6th of April, 1835, no Member's name might be affixed to any seat in the House before the hour of prayer. Notwithstanding the latter order a practice had sprung up by which Members attempted to secure places by leaving their cards upon the seats, trusting that the courtesy of other Members would prevent their being occupied. That arrangement having been declared irregular by the highest authority in that House, it was suggested that a place might be secured by the hat of a Member being left on the seat before the hour of prayer, and that modification of the previous arrangement was approved by the House, as it was presumed that when a Member left his hat on a seat he was engaged in the performance of duties within the precincts of the House. He had applied to the Serjeant-at-Arms to know whether the placing of a hat in a particular seat was a sufficient presumption of the owner being in the precincts of the House; and finding that it was, he had always conformed himself to that arrangement, and when he found a seat vacant he had placed his hat on it. For doing so, with regard to a particular seat, he had been favoured with strong objurgations on the part of an hon. Friend beside him (Sir Henry Edwards), who had used expressions towards him which he certainly would not repeat to the House, and the energy of which was more remarkable than its courtesy. Having had a not very agreeable conversation with his hon. Friend on Tuesday last, he came down to-day at two o'clock to see what had occurred, and he found that a card had been laid upon that particular seat. He should, no doubt, have been justified in removing it; but he thought that if he did so he might be accused of discourtesy, and it would be better to mention the circumstance to the House. He considered that the Member who affixed his card to a seat at two o'clock in the day was not acting according to the rules of the House, and that any Member was entitled to deal with such seat as if no such card were there. It was no doubt a matter of great delicacy for private Members to interfere in a matter of this kind, and it certainly required the intervention of the Speaker's authority to settle the question. Disagreeable disputes might arise, and he was not desirous either of making use of warm language or having it used towards himself. At the same time, such language had been used towards him on several occasions, that he should be glad to be relieved of the difficulty by a declaration from the Chair as to what course a Member should take who found the privilege of retaining a seat irregularly asserted by the placing of a card on it in the manner described. There were certain private Members, such as ex-Cabinet Ministers and other Members distinguished for their services or Parliamentary reputations, who were permitted by the courtesy of the House to occupy the same seats; but he was not prepared to admit the superiority of any ordinary Member over another with regard to the occupation of any particular seat.

SIR HENRY EDWARDS said, that as the question had been brought before the House, he would say at once that he was the Member alluded to; but he distinctly denied having ever claimed any exclusive right in the seat he occupied in the House. As a matter of courtesy it was always understood that the privilege was given to Members who were present at prayers to occupy the seat they then occupied for the night, and it had been customary for them to affix their cards to show that they were present and intended to take their seats. Nine times out of ten he was present at prayers, and recently he had found that it was necessary, if he was to have a seat at all—for he did not like to take the seat of other Members—to come down to the House half an hour or an hour before the sitting, and write his letters there instead of writing them at home. He saw Members all round him, none of whom had had a seat in the House so long as he had, sitting in the same places night after night, and he thought that it was very much for their own convenience and the convenience of the House that they should do so, and so long as he had the honour of a seat on that side he should always endeavour to obtain the one he now occupied. Any remarks that had passed between his hon. Friend and himself were best known to his hon. Friend, and he should not think it necessary to apply to the Speaker with respect to anything that might have taken place when he was not in the Chair. If any un-Parliamentary language was used when he was in the Chair he should ask for an explanation from the hon. Gentleman previous to appealing to the Speaker. There was, however, no grievance of that kind, for he appealed to his hon. Friends around him, whether, from first to last, he had said anything discourteous to the hon. Member. The fact was that the hon. Gentleman had, on many occasions, annoyed those who sat beside him by continually cheering the opposite party, while he still remained on those Benches.

Many other hon. Members had remarked the fact, and day after day he had annoyed them so much that they would all be very glad to see him leave his place and go over to the other side of the House. The hon. Gentleman had made a great deal of the matter, but he (Sir Henry Edwards) hoped that he had done nothing wrong in occupying the seat he then had.

Admiral DUNCOMBE said, that on a previous occasion he had to complain of another Member taking his seat, and it was a very painful thing to him to have to do so, because it happened to be one of his oldest Friends. On that occasion he had left his hat on the seat while attending a Select Committee, and it had been removed. The Speaker then kindly expressed a hope that the matter would be amicably settled, and it was so; but this was a question really worthy of the attention of the hon. Gentleman in the Chair. It must be patent to every one that as Committees could not adjourn until the Speaker was announced to be at prayers, those Members who were performing important public duties could not possibly be present at prayers, and it would be very unfair that Members who had not been so engaged should have the privilege of taking their seats. Last Session he was informed that many hon. Gentlemen actually sent their butlers to place papers and documents on particular seats at an early hour in the day in order to secure them for the evening. To be sure, a walk on a fine summer's day would not do any harm to that class of gentlemen; but that practice had been obviated, and now unless a hat was left as well, no hon. Member could claim the seat. But it was not likely that hon. Members would like to be exposed to all the cold drafts of the corridors and the Committee rooms without their hats, and many hon. Gentlemen were thus prevented from compliance with the rule of the House. He therefore thought the matter should be seriously considered by the Speaker in the recess, and that some more practicable rule should be issued by him on the subject.

Mr. SPEAKER: The hon. and gallant Admiral who has just spoken goes a little beyond the point which has been raised when he suggests that some new rule should be laid down with reference to this subject, and I cannot enter into that branch of the subject at all, because it is for the House itself to frame rules for its guidance. Neither do I think it would be right for me to enter into the question with regard to Members being entitled to express their approbation or disapprobation of particular speeches from particular seats in the House. Upon those points, therefore, I do not propose to give any judgment. The matter, therefore, as I understand it, is narrowed to the single point whether or not a card placed upon a seat before prayers will give a claim or right to that seat for the remainder of the evening. The point has been very distinctly decided, not by myself, but by this House. The House has laid down the rule that no card placed upon a seat can command or secure that seat in the absence of the hon. Member placing it there. About a year ago it was observed that hon. Members who came down here early in the morning to attend to their duties were placed at a disadvantage, because, being confined to the Committee rooms, they could not come into the House until their seats had been secured by others. Under these circumstances a suggestion was made that any Member having come down to the House in the morning to discharge the duty of attending a Committee, who should think fit to place his hat upon a seat as an indication of his personal attendance in the performance of his duties, should be entitled to retain the seat as though he were personally present in the House. As far as I have made inquiries, that arrangement has been considered satisfactory and reasonable. The only question, however, now before the House is whether, if an hon. Member affixes his card to a seat before prayers, he is entitled to retain that seat. The House has distinctly declared such not to be the case. The Serjeant-at-Arms has directions to remove all gloves and cards placed upon the seats before prayers, and I have not the slightest doubt that if an appeal be made to the Serjeant-at-Arms he will remove any which may be improperly placed at the back of a seat with a view of securing it for the night.

Mr. BRIGHT: I suppose that the difficulty to which the hon. Member has called our attention arises from the limited size of the House. I venture to say there is no other country in the world where there is a legislative Assemby the arrangements of which are so inconvenient and so insufficient for the hon. Members of it as is the case with the British House of Commons. I understand that the House will not seat within at least 150 of the persons who are Members of it. [An hon. MEMBER: It only seats 400.] An hon. Member near me says that the House will not seat more than 400—and when those are sitting it is almost impossible to hear one-half of the speeches which are made. Therefore, I think this House, and everything connected with it, is an utter disgrace. I use the word House in its general sense, and not as applied to hon. Members; and, speaking of the building, I say that the House itself, with regard to the accommodation which it affords, is a disgrace to the civilization, as it is to the architecture, of our time—and I hope the facts I have stated will be borne in mind if anybody proposes to add to the numbers in this House.

NAVY—RESERVED CAPTAINS.

QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the First Lord of the Admiralty, Whether he can hold out any hopes that the Government will re-consider the Order in Council of 1851 relating to the Reserved Captains; and, whether justice will at last be done in respect to pay and promotion to those meritorious and distinguished Officers who, relying on a fair interpretation of such Order in Council, were induced to allow their names to be placed on the Reserved List of Captains?

MR. CORRY said, in reply, that his hon. Friend's Question resembled the peroration of an argumentative speech, and he had some difficulty in answering it, because he should be out of order in attempting any argument in reply. He trusted, however, that he might be allowed to express his dissent from his hon. Friend's conclusions. In point of strict justice these Officers had no real case. That was the opinion of the Law Officers of the Crown to whom the case was referred in 1862, and in that opinion he (Mr. Corry) entirely concurred. At the same time, it was undoubtedly true that the Order in Council, or that part of it which established the Reserved List of Captains, was very vaguely worded, and he thought that a portion of those Officers had a fair claim to indulgence. He meant that portion of the Reserved Captains who, before their promotion to that rank, had served as Commanders the time required by the regulations to entitle them to active rank. He had made a communication to that effect to the Treasury, and was happy to say that an arrangement had been made which would give to that portion, and that portion only, of those Officers certain advantages as regarded rank and pay, some immediately and the rest prospectively.

CASE OF FULFORD AND WELLSTEAD.

QUESTION.

MR. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the statement published in the public papers by the Rev. Richard Payne concerning the conviction of Henry Fulford and Mark Wellstead by the Salisbury Bench of Magistrates for alleged poaching on the 26th of March last; and, if he will lay upon the table all the communications that have passed upon the subject?

MR. GATHORNE HARDY, in reply, said, his attention had been called to the letter in question. Before that letter appeared certain other circumstances connected with this case had been brought to his notice, and at the time the hon. Gentleman put his Question on the Paper the only one of the two men who remained in prison had been discharged by his (Mr. Gathorne Hardy's) order. On re-considering the case, as he had been asked to do, he had again gone carefully into the facts, and on the whole it appeared so extremely doubtful whether the keeper was right in his identification of the prisoner, that he had ordered the discharge of the one in custody. He could only say that though he thought the magistrates were perfectly justified in believing the evidence before them—he did not make the least imputation upon them in respect of the conviction—the case, upon the further evidence submitted to him, appeared to be so extremely doubtful, if not more than doubtful, that he felt it to be his duty to discharge the prisoner. With reference to the latter part of the Question, it was contrary to practice to produce such communications as those mentioned by the hon. Member.

UNDER SECRETARY OF STATE FOR SCOTLAND.—QUESTION.

MR. BAXTER said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to propose the appointment of an Under Secretary of

State to take charge of Scotch business in the House of Commons?

Mr. GATHORNE HARDY said, in reply, that as far as he could judge of the Department with which he was now connected, he did not think there was a sufficiency of business to render necessary the appointment of a distinct Under Secretary of State for this particular purpose. He quite agreed that it was a great misfortune both to himself and this House that the Lord Advocate should not have a seat in it, and he hoped that at some time Scotland would do the Lord Advocate the justice to give him one. But in the learned Lord's absence his hon. Friend (Sir Graham Montgomery) had devoted himself to the Scotch business during the Session, and Scotch Members would, he was sure, admit that he had met their wishes wherever it was possible to do so. He could not admit that the Scotch business was really in arrear. In fact, many of the Scotch Bills were more advanced than English Bills. One great measure, as they all knew, had stopped the progress of other Bills, but the Scotch business had not been kept back more than English or Irish business. With every wish, therefore, to expedite business, he could not give any pledge to the effect desired by the hon. Member.

WRECK OF THE "ETHIOPIAN."

QUESTION.

Mr. Alderman LUSK said, he would beg to ask the First Lord of the Admiralty, Whether his attention has been directed to a report in the Sydney (N.S.W.) newspapers, that an English ship, the *Ethiopian*, 840 tons register, owned by Messrs. George Thompson, jun., & Co., of Aberdeen, was seen dismasted and in distress on the 8th day of March last, four miles outside the Sydney Heads, and unable to make the harbour, and that though the attention of the Commanders of Her Majesty's steamers *Falcon*, *Esk*, and *Challenger*, then lying unemployed in the port of Sydney, was called to the circumstance, this unmanagable and helpless vessel was allowed to drift to sea without their offering any assistance; and that five days afterwards she was rescued by the French man-of-war *Marceau*, Captain Gallache, and gallantly, and without fee or reward, brought into Sydney Harbour in safety; and, if such statement be true, whether the conduct of Her Majesty's Officers is not contrary to the tenor of their instructions received from the Board of Admiralty?

Mr. CORRY said, in reply, that no official information on the subject had yet reached the Admiralty; but yesterday the Commodore, whose broad pennant was flying on board the *Challenger*, arrived at Southampton invalided and in extremely ill health, and to-day his secretary had called at the Admiralty. It appeared that the harbour of Sydney was landlocked, so that a ship could not be seen from the anchorage. No representation, he was informed, was made to the Commodore of any ship being in distress or requiring assistance. He had, however, called for a Report on the subject from the Naval authorities on the station.

PROMOTION IN THE ARMY.

QUESTION.

Colonel STUART KNOX said, he would beg to ask the Secretary of State for War, Whether in the case of the 4th Hussars and other Cavalry Regiments now or hereafter to be ordered to India, the augmentation promotion will be allowed to go on in the Regiment, or whether it is his intention that Majors shall be brought in from other Corps, or from half-pay, in the manner that has lately given rise to so much complaint?

Sir JOHN PAKINGTON: In answer, Sir, to the Questions of my hon. and gallant Friend, I have to say that the intention of the Government with respect to our cavalry regiments returned from India and other foreign service is that the second Major shall not be reduced. The result of that will be that the complaints which have hitherto been made on the part of cavalry officers, and which are not without reason, will for the future be avoided. As to whether the augmentation promotion will be allowed to go on in the regiments leaving England, I will not pledge myself upon that point. I think the question must be decided in each case upon combined considerations of the public interest and of the services of the officers concerned. With regard to the 4th Hussars, the promotion will be allowed, and the senior captain will succeed to the second majority. I also wish to state that I propose to make one exception of a prospective nature, and that will be in favour of Captain Harnett, of the 11th Hussars

—a regiment which went to India last autumn, and, under the present regulations, Captain Harnett had a junior put over his head. It is my intention that Captain Harnett shall be promoted to the second majority, and that Major Jervis shall return to his post in the regiment from which he came.

Colonel STUART KNOX said, he wished to know whether the subalterns would receive the benefit of the promotion?

Sir JOHN PAKINGTON: I presume, the promotion will go on in the regular course.

IRELAND—THE CHARITY COMMISSIONS AND TRINITY COLLEGE, DUBLIN.

QUESTION.

General DUNNE said, he wished to ask the Vice President of the Committee of Council on Education, Whether the Charity Commissioners have introduced in the Lords a Bill already abandoned by him in the Commons, for the purpose of defeating the legal rights of Trinity College, Dublin, to the reversion of a bequest made by a certain Mr. Brown?

Lord ROBERT MONTAGU said, in reply, that the hon. and gallant General must be aware that, after in vain endeavouring to come to some agreement with Irish Members and with Trinity College, Dublin, he (Lord Robert Montagu) postponed the Bill until the 17th of June to suit the convenience of Irish Members who opposed it. He was not at that time aware of the rule of the other House that no Charity Bill would be received after the 21st of June. He therefore stated openly in the House, and in the presence of the hon. and gallant General, that he would move to discharge the Order, so that the Bill might be received in the other House, and then come down to the House of Commons at a later period.

INSPECTION OF SCHOOLS.

QUESTION.

Mr. BAGNALL said, he rose to ask the Vice President of the Committee of Council on Education, Whether he approves of Her Majesty's Inspectors paying their official visits to Schools during the Whitsun week, when children cannot without difficulty be collected to meet them, and masters are deprived of their accustomed holiday; and, whether the Grants to Schools will depend upon the result of Inspections made under such disadvantageous circumstances?

Lord ROBERT MONTAGU said, in reply, that there were the usual holydays in summer of one month in towns, and of six or eight weeks in the country, for harvesting. At Easter there was a holyday of one week, and at Christmas a holyday of a fortnight. At Whitsuntide they only recognised the Church holydays of Monday and Tuesday. Inspection was very costly, for the salaries and commuted allowances were running on whether the Inspectors were at work or not. It was therefore inexpedient that sixty or seventy Inspectors should be kept idle longer than was necessary. The object of the holydays was not so much for the sake of the children, who by being kept in school were prevented from getting into mischief, and from being in the streets, but were chiefly for the sake of the masters. It was therefore better that the children should be kept in a warm and airy room at school. But a holyday was essentially necessary for the master. However, they laid down no rule for an Inspector, except to suit the convenience of the managers as far as he could.

LOSS OF LIFE AT SEA.—QUESTION.

Mr. HOLLAND said, he wished to ask the Vice President of the Board of Trade, Whether, in the event of loss of life at sea, where there has been gross culpability or negligence, Her Majesty's Government will adopt measures in order that offenders may be made amenable to the Criminal Laws of the Country?

Mr. STEPHEN CAVE said, in reply, that by the 239th section of the Merchant Shipping Act of 1854, breach of duty, or neglect of duty, or drunkenness on the part of the master or crew, tending to the loss or damage of a ship, or danger to those on board, was a misdemeanour. Under other clauses the Board of Trade could institute an inquiry in such cases, and punish by deprivation of certificate the master, mate, or engineer, and this had been found easier and more effectual than proceeding under the former section. When there were suspicious circumstances in a shipwreck, the Board of Trade held inquiries for the purpose of ascertaining the cause of loss, and with a view, if necessary, to the suspension or cancelling of certificates; but the Board did not prosecute criminally, though the facts which might come out in the course of the inquiries might form the groundwork of criminal prosecution on the part of the underwriters or others. Fraudulent abandonment or destruction of a ship by owner or master was a crime at Common Law, by Statutes of *Anne* and *George* I., and latterly under the Act of 1837, called the Burning and Destroying Act, and the Malicious Injuries to Property Act, of 1861. The Board of Trade did not prosecute in such cases, but left it to the underwriters. Whether it would be advisable for the Board of Trade to prosecute criminally in such cases was a question which was a fragment only of the greater question of a public prosecutor, which must be settled on more general considerations than the restricted though very important subject to which the hon. Member had referred.

LIMITED LIABILITY.—QUESTION.

Mr. GOSCHEN said, he begged to ask the Vice President of the Board of Trade, Whether it is the intention of Her Majesty's Government to introduce a Bill to amend the Law of Limited Liability during this Session ?

Mr. STEPHEN CAVE said, in reply, that the Select Committee on Limited Liability Acts, of which his right hon. Friend and himself were Members, reported that it was highly desirable that a Bill should be brought in by the Government during the present Session to carry out the alterations they recommended. In accordance with that decision he placed the Resolutions, as well as some suggestions of the Member for Stockport, in the hands of the Government draughtsman, who was at work upon the subject, though his time was very much occupied with the Reform Bill and other matters. He (Mr. S. Cave) had refrained from moving for Leave to bring in this Bill until he could see his way to proceeding with it, in order not further to encumber the Notice Paper with Bills in respect of which no progress could be made.

INDIA—INDIAN SECURITIES.

QUESTION.

Mr. BIDDULPH said, he would beg to ask the Secretary of State for India, With reference to the notice recently given for the purpose of reducing the rate of interest on India Bonds from 5 to 4 per cent, on what principle a Notice was given in December last for the purpose of renewing the Indian 5 per cent loan expiring in 1870, for another ten years at the same rate of interest, such Notice having been given gratuitously two years before it was due; and, whether he is aware that when notice of reduction of the interest on India Bonds was given on a former occasion, the experiment was unsuccessful ?

Sir STAFFORD NORTHCOTE: Sir, these notices have no connection with each other. The circumstances under which notice of the removal of the 5 per cent. loan was given in December last were these. It was at that time necessary to raise an additional sum by way of loan in consequence of the difficulty experienced by the Railway Companies in raising money, and as it was known that it would be necessary for the Government to renew the loan which expires in 1870, it was thought desirable at once to give notice of the intention to renew it for ten years in order to strengthen the stock and to obtain the loan which the Government desired to raise upon better terms than would otherwise have been got. With reference to the recent notice of the intention to reduce the interest upon India Bonds from 5 to 4 per cent., it was thought unreasonable that the Indian Government should be paying so high a rate as 5 per cent upon what are in the nature of Exchequer Bonds, when the Chancellor of the Exchequer of this country gives upon Exchequer Bonds only from 2½ to 3 per cent. It was necessary that a year's notice should be given, and that notice was given in the hope and expectation that we shall, when the time comes, be able to carry the reduction into effect. Of course it is possible that that expectation may not be realised, but in that case nothing can be easier than to withdraw the notice. If the last part of the Question relates to the failure of an operation under the Government of Lord Dalhousie, all I can say is that that operation was attempted under circumstances totally different from those under which we are now acting.

AFFAIRS OF CRETE.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is true that Omar Pasha, having been defeated at Heraclion in Candia, had burnt all the villages that had not been defended by the Insurgents, and murdered the inhabitants, and that the Consuls had reported these atrocities to their respective Governments; and, whether means cannot be found during the approaching visit of the Sultan to Europe, to obtain the cessation of a conflict continuing so long, and producing results so shocking to humanity?

MR. MONK said, he wished, before the noble Lord answered the Question, to inquire whether there was any official confirmation of the statements contained in the Protest addressed by the Candian Committee to the Foreign Consuls on the 24th of May, according to which Omar Pasha had burnt twenty-three villages, destroyed the churches, set fire to the olive and other fruit trees, pulled down the mills, destroyed the crops, and burnt some women alive?

LORD STANLEY: Sir, the hon. Gentleman opposite the Member for Gloucester (Mr. Monk) not having given me notice of his Question, I shall be glad if he will repeat it to-morrow, when I shall be prepared to answer it more precisely than I can do now. With reference to the inquiry of my hon. Friend (Mr. Darby Griffith), I have to state that I have received no official report of a defeat of Omar Pasha at Heraclion. There is a newspaper statement to that effect, but whether it is true or untrue I do not pretend to decide. I observe, however, that the telegram is dated from Athens. I am afraid that there is on both sides much exasperation, and that, as will always happen in wars of this kind, carried on in half-civilized countries and in part by irregular troops, very lamentable and vindictive acts have been committed. As to the possibility of obtaining a cessation of the conflict, that, no doubt, is what we should all desire, but I need hardly say that it is much more easily said than done. I do not think the occasion suggested by my hon. Friend would be opportune. There is a time for all things, and I do not think that the first occasion on which the Sultan will be receiving the hospitality of this country would be the proper period to inflict upon him any remonstrance or lecture with regard to his management of his own dominions.

THE BIRMINGHAM RIOTS—THE VOLUNTEERS.—QUESTION.

MR. HORSMAN said, he would beg to ask the Secretary of State for War, Whether it be true that the Rifle Volunteers, under the command of Major Ratcliff, had been ordered to be in readiness to assist the Military in the suppression of the recent Riots at Birmingham, and if so, under what authority; and whether the right hon. Gentleman considers that a proper occasion for their being employed?

SIR JOHN PAKINGTON, in reply, said, he had not been aware of the circumstances until his attention had been called to them by the right hon. Gentleman, and he was therefore unable to answer the first part of the Question. Assuming that statement to be true, he was not aware under what authority the arrangement had been made. With regard to the latter part of the Question, it was not, in his opinion, an occasion in which it was proper to call out the Volunteers. If such a course had been taken—and he was not then aware whether it had or had not—it was one which had not his approval. He would, however, institute inquiries on the subject.

MR. WHALLEY said, he would beg to ask the Secretary of State for the Home Department with respect to a reply he was reported to have given to a Question put to him by the right hon. Member for Limerick (Mr. Monsell) on the preceding day, as to whether certain words imputed to a lecturer named Murphy should not be considered to disentitle him to the protection of the law. He had also to ask the right hon. Gentleman whether he is aware that the words in question have not in point of fact been used at a public lecture in that sense and with the object alleged, and that Mr. Murphy, at a public meeting in Birmingham on Monday evening, had given such explanation thereof as was satisfactory to that meeting, which meeting included many Roman Catholics, one of whom made a speech in reply, in which he stated that nothing Mr. Murphy had said could justify the conduct of his co-religionists?

MR. GATHORNE HARDY: Sir, the right hon. Member for Limerick (Mr. Monsell) asked me privately yesterday whether I had any objection to answer a question respecting the Birmingham riots, and I expressed my readiness to give the House all the information in my possession. I stated, accordingly, that I had received a communication from the Mayor reporting that at that time all was quiet. Being further asked whether my opinion had been requested as to there being any grounds for taking criminal proceedings upon certain expressions used by Murphy, I said that it had, and that, in my opinion, there were no grounds for proceeding criminally upon those words. I added that I regarded the expressions as worthy of the strongest condemnation, and that I did not wonder at their having created excitement, because they seemed to me only fit to be addressed to thieves or murderers. I said nothing with respect to their being legally regarded as the cause of the riots. The hon. Member for Peterborough (Mr. Whalley) now asks me whether I think the use of such words could justify the rioters, or deprive the lecturer of the right to protection. I do not think that he is deprived; I do not think that anything I have said could justify the inference that he is to be deprived of the right of protection in a place built by him and others for the purposes of these lectures, because the words were not criminal words in themselves, or words that could be legally taken notice of. I am not in the least aware of those other facts alluded to by the hon. Member for Peterborough, except that I understood from the papers sent to me that these words were used at a public meeting, at which the hon. Member was present. It was stated that the meeting was held at eight o'clock in the evening; that a Mr. Armstrong took the chair; that the hon. Member for Peterborough made a speech; that he was followed by Mr. Murphy; and that in the course of his speech Mr. Murphy said he had been taken to task for saying that the priests of Rome were murderers, cannibals, pickpockets, and liars. He said he repeated that statement, and should be prepared to prove it on the following evening. This was on Monday night, and I did not observe that the hon. Member for Peterborough took any notice, or asked for any explanation of those words.

Mr. WHALLEY said, he trusted he might be allowed to state that the report which the right hon. Gentleman had read of what took place on Monday night was not correct—or, at least, was not complete. He was not prepared to say—["Oh!"] Perhaps the House would allow him, in order to make his statement, to move the adjournment of the debate. ["No!"] He was anxious to be quite accurate, and the report was correct so far as it went, but it was not complete. Mr. Murphy at the meeting explained what he had said in regard to the epithets referred to, of which he (Mr. Whalley) disapproved as much as any man. They were not words used at a public meeting, but were addressed by Mr. Murphy to some of his friends, who gathered around him. Mr. Murphy afterwards made some explanation of the matter, not one word of which was included in the report upon which the right hon. Gentleman appeared to rely. The result of his explanation was, that a Roman Catholic who came upon the platform, and who replied to some of the remarks of Mr. Murphy on other subjects, declared his opinion that nothing Mr. Murphy had said justified his co-religionists in the conduct they had pursued.

THE BOUNDARY COMMISSIONERS.

QUESTION.

Sir EDWARD BULLER said, he wished to know, Whether, as there was a difference of opinion in regard to the counties proposed to be subdivided, the Chancellor of the Exchequer would be willing to refer this subject to the Boundary Commissioners?

The CHANCELLOR of the EXCHEQUER: Sir, the hon. Member is doubtless aware that since the Chairman last reported progress I have laid on the Table the Clause which describes the powers of the Boundary Commissioners, and the hon. Baronet will find that under that Clause the Commissioners have the power of effecting the subdivision to which he refers. Perhaps the House will allow me to read the names of the Boundary Commissioners. We propose that there shall be seven Boundary Commissioners, whose names shall be included in the Clause. They are—Lord Viscount Eversley; Mr. Walter, recently a Member of this House; Mr. Bramston, also recently a Member of this House; Sir John Duckworth, formerly a Member of this House; the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie); the Recorder of London (Mr. Russell Gurney); and Lord Penrhyn.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 18.]

Bill *considered* in Committee.

(In the Committee.)

Clause 24 (Rooms to be hired wherever they can be obtained).

THE CHANCELLOR OF THE EXCHEQUER said, he had laid upon the table the clauses he had promised with respect to polling places in counties and boroughs; and he, therefore, moved the omission of the present clause, which those provisions would supersede.

Clause *struck out.*

Clause 25 (Vice Chancellor of the University of London to be the Returning Officer).

MR. CARDWELL said, he presumed that the University of London would receive the same power with respect to voting papers which had already been granted to the Universities of Oxford and Cambridge.

THE CHANCELLOR OF THE EXCHEQUER replied in the affirmative.

Clause *ordered* to stand part of the Bill.

Clauses 26, 27, and 28, *agreed to.*

Clause 29 (Electors may Vote by Voting Papers).

MR. KEKEWICH said, he would withdraw the Amendment which stood in his name on the Orders, to the effect that parties absent from the places where they were registered at the time of an election, or who desired in consequence of age or infirmity to be relieved from attending to vote in person, should be allowed to record their votes by means of voting papers. He thought it was desirable that the sense of the House should be taken first of all upon the general question; but if the House decided against the spirit of his Amendment, he reserved to himself the power of re-opening the question when the Report on the Bill was brought up.

MR. PIM contended, in moving the Amendment of which he had given notice, that, as many persons held property in counties in which they did not reside, and were entitled to votes on account of their property, it would only be a fair thing to give these persons the right of voting by means of voting papers, so as to free them from the trouble and expense of having to make a long journey in order to record their vote. It was very undesirable, for instance, that a person living in London, but who was upon the register in Yorkshire, should be compelled to travel down there to give his support to a candidate. But while it was desirable that voters resident at a distance should be enabled to give their votes in the way proposed, he thought the privilege should not be extended to persons who could give their votes in person. He thought, indeed, that the general use of voting papers in the way proposed would leave the electors open to private influence, unchecked by public opinion, and thus would render bribery more easy; and, in the case of Ireland especially, the result would be that the contest between the landlords and the Roman Catholic clergy would be carried on in secret, instead of being carried on, as at present, in a way which subjected them to the control of public opinion, and this would, in his opinion, be productive of great evil. It appeared to him that the system of voting papers was liable, to some extent, to the objections that had been so frequently made to the ballot—namely, that it withdrew the voter from the legitimate influence of the opinion of the public. The franchise was a trust held for the benefit of the whole community, and ought therefore to be exercised openly and in the sight of those for whom the trust was held. It might be said that disorder and violence sometimes attended elections conducted under the system of open personal voting, but those evils should be met by other means than the employment of voting papers. The first Amendment which he had to propose in the clause was that in line 8, after "conditions," there should be inserted "save as hereinafter mentioned;" and the second Amendment which he should wish to be adopted was, that at the end of the clause these words be added:—

> "Provided always that such Voting Paper shall only be valid when it shall appear on the face thereof, and the fact shall be, that at the time of signing the same the voter on whose behalf such Voting Paper is tendered was at least fifteen miles distant from the place where, if he voted in person, such voter would be required by law to tender his vote; provided also that if such voter shall come within the said distance of fifteen miles from his proper polling place between the time of his signing such Voting Paper and the close of the poll such Voting Paper shall thereby be cancelled, and such voter shall only be at liberty to vote at that election by attending at his proper polling place and recording his vote in person."

In conclusion, he only wished to say that had the question to which his Amendment referred been a purely English one, he would, perhaps, not have troubled the House with it; but it was evident that if the principle was applied to England, it would also be applied in the cases of Scotland and Ireland. If, however, the opinion of the Committee was against his Amendment, he would not press it.

Amendment proposed, line 8, after "conditions," to insert "save as hereinafter mentioned."—(*Mr. Pim.*)

MR. BRIGHT: The clause which we are now considering is one of the most important clauses in this Bill. It proposes to make a change of a very remarkable character; it is entirely new, and I have never heard that anybody outside of the House has asked for it. Now it has been laid upon the table of the House by the Minister without a single sentence of explanation. I consider that to be very unusual—and not only unusual, but I venture to say that it is very improper—because I think the House has a right to hear, and Gentlemen opposite who support the Government have a right to demand to hear, that there is some ground for this change. The clause, however, is thrown upon the table, and those Gentlemen who have Amendments to it are beginning to move them, and the Committee is getting into every description of confusion. An Irish Gentleman (Mr. Pim) gives us a dissertation upon what will be the effect of the clause in Ireland, although the Bill does not refer to Ireland at all. Now, I say, that it is the duty of the Chancellor of the Exchequer to make out a case why this clause should be adopted—that is, if he can make out a case at all; while if he does not care about it, I shall be glad if he will withdraw it, which perhaps he would not have much difficulty in doing if he were pressed. At present, however, the House has a right to hear the grounds why a proposal so novel in its character as this is should have been submitted to Parliament.

THE CHAIRMAN said, the question before the Committee was in line 8, after the word "conditions," to insert "save as hereinafter mentioned."

THE CHANCELLOR OF THE EXCHEQUER: I merely wish to correct the hon. Member for Birmingham in his conception of the duties of the Leader of the House when the House is in Committee. This clause is in the Bill, and has not been newly laid upon the table by me, and it is not my duty to rise and explain every clause as it is brought forward. The Bill is in the possession of the House, and it is the Chairman who introduces this clause to our notice. At the proper time I shall be perfectly ready to vindicate this or any

other clause contained in the Bill; but it is no part of my duty to rise and explain every clause as it is submitted, and the hon. Member for Birmingham is labouring under an entire misconception in the remarks which he made.

MR. BRIGHT: I say, if the Government had proposed to introduce the Ballot into this Bill—which is a very likely supposition, and not at all a thing not to be hoped for—if they had proposed the Ballot, it would undoubtedly have been the duty of the Chancellor of the Exchequer to explain the clause by which he proposed to do it. This is not an ordinary clause, like proposing an additional Member for Birkenhead or Salford, but it is a clause which embraces a principle of the highest importance. The proposal is something quite new, and enough to be a Bill in itself. I maintain, therefore, that the Chancellor of the Exchequer ought, in justice to his own proposition, and also to the House, to explain the considerations which had induced him to bring it forward But if the right hon. Gentleman has really nothing strong to say in favour of the clause, of course the discussion could go on.

VISCOUNT CRANBORNE said, the hon. Gentleman seemed to labour under a misconception. The question before the Committee was not whether the clause should stand part of the Bill, but whether the Amendment of the hon. Member for Dublin should be agreed to. He agreed that when the clause came on for discussion, there would be much to say upon it, and then it would be the duty of the Government to offer some explanation respecting it.

MR. M'CULLAGH TORRENS said, that in moving the omission of the clause he should best discharge the duty which he had undertaken by at once stating that he would not say one word which should offend the feelings or convictions of hon. Gentlemen on either side.

THE CHAIRMAN said, that the Question before the Committee was the Amendment of the hon. Member for Dublin, which would require to be disposed of before any other Amendment could be moved upon the question that the clause stand part of the Bill.

MR. PIM said, he was entirely in the hands of the Committee. He had always looked upon the Reform Bill as too important a measure to be made the ground of party tactics, and if it was the wish of the majority of the Committee he should press his Amendment.

Amendment *negatived.*

SIR JOHN WALSH said, he must confess he had been somewhat surprised by an observation which fell from the hon. Member for Birmingham. That hon. Gentleman was the last Member in the House who might be supposed determined to stand strictly *super vias antiquas,* and making so many appeals as he had lately done to the British Constitution; yet his chief objection to this clause appeared to be that it proposed something quite new. The spirit of hostility generally evinced opposite to this proposal was rather surprising; and it seemed to him (Sir John Walsh) that the clause had features which should recommend it to hon. Gentlemen on both sides of the House. First of all, he must observe that it was essentially a great enfranchising clause. He did not mean to say it was literally, but certainly it was virtually so. It did not give the right of voting to those who had it not, but it gave the power and facility of voting to those who, having the right, would without this clause be entirely precluded from exercising it. At every contested election, notwithstanding the most strenuous efforts of the agents on both sides, a very large percentage of voters remained unpolled. Why should hon. Gentlemen who advocated an extension of the suffrage seek to preclude this large class from its exercise? Of whom did this large class consist? First of all there were the sick—those suffering from temporary illness or chronic disease. Then there were the aged, the infirm, and he might include the timid in the same category, who were more or less likely to be deterred by scenes such as too often occurred at elections. If, for instance, an election for Birmingham took place within the next few days, although the hon. Member (Mr. Bright) might himself be a great advocate for religious toleration, a good many might well be deterred from giving their votes by the scenes that had lately taken place there. There was also a considerable class of voters who, in the exercise of their calling and industry, were necessarily precluded, except at a great sacrifice of personal convenience, from being present at the time of election. And lastly there were the county voters who were not necessarily resident, and the non-resident voters were often the most independent of the whole constituency. Among the population of 3,000,000 in this great metropolis, there could not be less than 10,000 persons, thriving tradesmen, many even artizans, and other persons, entitled to vote for counties in different parts of England; but these persons could not, without great expense, loss, and inconvenience, go and record their votes perhaps in Cumberland or Northumberland. Why should these classes not avail themselves of the facility afforded by this clause? There was another point also which was of very high importance, and on which this clause would have a most beneficial operation. He alluded to the expenses, which would be very much increased by the additional polling-places, which might be in a great measure dispensed with if this clause were adopted. Travelling expenses, too, were an evil, though perhaps a necessary evil, under the present system. These expenses, which were often in their nature bribes, might be prevented by the adoption of voting papers. If the House adopted this clause it could not have the slightest hesitation in declaring the payment of travelling expenses illegal; but it could not do so with justice unless it passed some provisions which would enable voters to vote without sacrifice of time and money. The points he now pressed had been repeatedly urged on both sides of the House, and more perhaps from the Opposition than from the Ministerial Benches. Perhaps the strongest and most important ground on which the use of voting papers could be advocated was that its tendencies would be to prevent and repress intimidation. That practice appeared to him undoubtedly to be the worst vice of our representative system, and also one of the greatest infringements on the liberty of the subject. One of the distinctions between bribery and intimidation was that the former was limited in its influence by the number of those bribed, while violence and outrage committed upon a few voters might intimidate a whole constituency. In a constituency of 1,000, 100 might be bribed directly; but if ten men were hurt, the other 990 men might all be intimidated. Election Committees had reported, where there had been intimidation, that it was not proved a sufficient number of voters had been intimidated to vitiate the election; but it was quite possible, although it might not be capable of proof, that the whole constituency might have been intimidated. He was afraid an impression was entertained in some quarters that intimidation might be tolerated for some incidental or compensatory advantages, and the hon. Member for Dublin might be willing to set intimidation against the undue influence of landlords; but such a way of justifying one abuse by another was like a garotter justifying himself by saying he was not a pickpocket. [Mr. Pim: I never said anything of the sort.] He was glad to find he had misquoted an hon. Gentleman who never discussed great questions from a party point of view. Let hon. Members who thought that intimidation was useful, defend that position in the House. If there were sufficient reasons for adopting voting papers now and lessening intimidation, there would be still more when the constituencies were enlarged; and they should remember that intimidation might be exercised by 30,000 as well as by 3,000, and therefore they should look forward to periods when great populations might be excited in the manner in which they had been excited recently in Birmingham. Surely everything which could withdraw a man from the influence of dangerous excitement was to be welcomed, and doubly and trebly so in the state of things upon which we were entering. There was one more point, and that was the securities taken in the clause against personation and fraud. He contended that these securities were perfect, and that there could not be greater security with personal voting. A man's handwriting was as easily identified as his face, and the voting paper was to be presented by a voter who at the same time recorded his own vote. Surely under such circumstances, and with the liability to a year's penal servitude, there was as much security against personation as there was in other matters. Wills, powers of attorney, and deeds conveying hundreds of thousands of pounds, were not fenced in by more rigid precautions than was this simple act of voting. But it must be remembered that, in order to make this kind of forgery and fraud effectual, it must be done upon the greatest scale; hundreds and perhaps thousands of voting papers must be forged to produce any sensible effect on an election. On the whole, therefore, he contended that there was the greatest possible security against the abuses which some apprehended.

Mr. M'CULLAGH TORRENS rose to move that the clause be omitted from the Bill. He regretted that Her Majesty's Government should have asked the House to adopt the principle which it embodied. At the time when the Bill was introduced he was under the impression that this clause was one of the inspirations that might be attributed to the constitution of the Government. He could not forget that the principle of voting papers had been advocated with great ability by the noble Lord the Member for Stamford. That noble Lord was distinguished by a persistent will, and a legitimate ambition and desire to impose that will upon others. He therefore took for granted that the noble Lord's presence as a Secretary of State in the Cabinet was the cause why this clause was first introduced into the House of Commons as part and parcel of the Reform Bill. After the events, however, of February and March, when the Ministry was released from any obligation of adherence to its first intentions, he had hoped that this clause would have been withdrawn. He trusted that the House would not be prepared to change the fundamental principles of the constitution, which had always been favourable to personal and responsible voting. It had always been laid down alike by the law and by Statesmen that the proper custodee of the suffrage was the person who was to exercise it; and if they required it to be exercised by way of voting papers, or in any form in which it might be filched and stolen by landlords, agents, or any other persons, they would release the voter from that responsibility which the possession of the vote in the first instance placed upon him, and which they were bound to hold him to, because there was no doubt that until the actual hour of voting every one who discharged the function of an elector had been time out of mind—and he trusted would be for all time to come—held responsible for the mode in which he exercised the privilege of voting. He should be able to satisfy the House that if they passed this clause there would be at least half a dozen contingencies which would relieve the voter from responsibility. In the first place, the voting paper might never be properly delivered at the house of the voter; in the next, while it was in the house, and before the signature was attached, it might be mislaid or tampered with; in the third place, it might never be properly collected; in the fourth, if properly collected, it might not be properly delivered; and in the fifth, after being delivered to the returning officer, it might be made away with and never be employed in the election. The experiment whether voting papers were best fitted to ensure a proper exercise of the right of voting by a multitudinous constituency had been tried exhaustively in the case of the voting for the poor law guardians, and had led to a complete failure in the working of the system, as he would presently show by official documents; and he would ask the Committee whether, when that system had failed in minor matters, they were prepared to risk the liberties of the country by adopting it in reference to the election of Members of Parliament? The annual Reports of the Poor Law Commissioners showed that not two or three only, but various elections had been set aside by the Board at Gwydyr House on the specific ground of the voting papers not being properly delivered. In two instances—those of Swansea and Banbury—the voting papers, though properly delivered, were proved not to have been properly collected. Successive Presidents of the Poor Law Board, whose only object was to have inquiry conducted impartially, had reported that in certain cases they were obliged to set aside the elections on account of the improper collection of votes. It was true that in these cases the irregularities complained of might be said to have arisen from defects purely mechanical, and it might be suggested that they could be overcome by the adoption of special provisions. ["Hear, hear!"] The noble Lord (Viscount Cranborne) cheered. But why had not the remedy, in a course of thirty years, been applied? He (Mr. Torrens) and the noble Lord had argued that question before; and in the year 1857, when he ventured to propose a negative to the Motion brought forward by him and supported by all his great abilities, he had succeeded in convincing the House that the proposition was not a safe one. [An hon. MEMBER: That only applied to counties.] He would be glad to hear what distinction the hon. Member would draw between counties and boroughs in this matter. How did the system work in cases in which strong personal or party motives led to the improper interference of other individuals in the exercise of the vote? How was it carried out under the Poor Law system? He held in his hand some very remarkable cases, occurring in different years and in various parts of the country, where elections had been set aside, not because voting papers had not been properly delivered or collected, but because every variety of fraud had been used, and it was discovered that the voting papers had been tampered with both before and after they were signed by the voter. In 1855 a friend of his, Mr. Doyle (than whom a more justly valued public servant the public service did not contain), an inspector under the Poor Law, was commissioned to inquire into the proceedings of the election of guardians at West Bromwich. He found that the proceedings were wholly unsustainable, and that in a variety of ways 340 votes had been tampered with by altering the voting papers in the houses of the voters. They were now going to create large constituencies. The setting aside of elections was part of the prerogative of the House, and all who had sat on Committees knew that unless there was a very grievous deflection from justice a Parliamentary Committee was exceedingly loth and unwilling to set aside an election. In the case of West Bromwich, although 340 frauds were proved to have been committed, they were not considered sufficient to set aside the return, and the wrongful guardians were allowed to remain in office and disburse the funds of the parish. They might say that that was an exceptional case; but what occurred the following year in Lambeth, under the very eave of the House? It was proved that agents went about tampering with the papers in the dwellings of the electors, and the magistrates were obliged to visit some of the offenders with fourteen days' imprisonment for their violation of the law; but such was the sympathy excited, and so strong were the party feelings enlisted on their behalf, that the Home Office was besieged by the churchwardens, the officers of the parish, and others, praying for the release of the persons who had been found guilty. That was ten years ago, it was true; but what happened at Cheltenham last year? Here was a case in which the Liberals were said to have been the offending parties, and therefore it might be thought to be the more deserving of consideration by Gentlemen opposite. The names of several clergymen of the Established Church, the masters of the College, and above all, that of Colonel Taylor, a man, they were told, of unquestionably orthodox Conservative politics, were actually forged by the so-called Radicals, and those who forged them were found guilty of having deposited the false votes. In order to show the House that exposure afforded no check to the evil, he would read a letter from Mr. Doyle on the subject. That gentleman said, speaking as a Poor Law Inspector, that his experience was that "wherever a sufficiently strong motive existed, he did not see how fraudulent practices under the voting paper system could be controlled or even discovered." He (Mr. Torrens) had never yet found any one who had had practical cognizance of the working of the system who did not say that it was honeycombed with fraud and falsehood. It was no answer to say that, for anything that appeared to the contrary, the majority of the elections of guardians were pure. That might be so, and it might also be said with regard to the majority of returns to that House, because the majority were made without contests; but they always provided against abuses that might arise, though they did not every day occur; and experience had shown them that under this system, as applied to the elections of guardians, there was a temptation to yield to the practice of personation, bribery, falsehood, fraud, forgery, and, worst of all, to the grossest intimidation. It was no answer to say that they could not adduce the proofs of these practices in all cases. Twice within the last twenty years the town of Leeds had become notorious for its malpractices in this respect, and twice it had become apparent that forgery had been resorted to in numerous cases in order to obtain votes on one side or the other. He himself, some years ago, presented his lamented friend Mr. Talbot Baines, then President of the Poor Law Board, with a memorial from certain of the inhabitants of Great Yarmouth, where it was believed that illegal practices in the election of the guardians had prevailed. No man was more anxious to do his duty than his late right hon. Friend, who studied to the utmost every case of hardship and grievance that came before him; but he (Mr. Torrens) well recollected his explaining to him the difficulties that beset any attempt to repair the injustice done, or in getting *primâ facie* proof of neglect and fraud sufficient to justify a special inquiry. He (Mr. Torrens) tried to procure that proof in the case of Yarmouth, but failed to do so from the reluctance of persons to undertake the odious task of coming forward to give evidence, and he gave it up with a full conviction that all his efforts to procure a successful inquiry would be unavailing. Impunity led to the recurrence of the same evils at Yarmouth year after year, and at length investigations were directed to be held. He had before him the report of Sir John Walsham, who had presided at both these special inquiries. He stated that although there was evidence that there had been every description of tampering and deceit, yet, after setting aside a great many votes, there remained a sufficient number still unsifted, through lack of positive proof, to prevent the election from being set aside. The consequence of impunity was, that the malpractices went on, and became still worse than before, and in the end, although the next election was set aside, it was only after sitting again and again for weeks to obtain the necessary evidence. The election for Poor Law guardians generally took place in April, and he found, looking at the Reports of the Courts of Inquiry, that even where they had been set aside on the ground of fraud and malversation, they were not set aside till months after the return, and in one case as late as the month of November. Taking into account the fact that there was rarely sufficient motive to induce persons to incur all the expense and odium of prosecuting these inquiries, they might safely infer that for every ten cases in which the Commissioners set aside the election there were one hundred which escaped, and where the inquiry, if held, did not touch the marrow of the case. When they were conferring on the people of this country a great extension of the franchise, it was their bounden duty not to lead them into temptation at the moment they were offering them a privilege, and it would be a very sad thing if, without designing it, they gave over the people for a prey to all the arts of electioneering agents and to all the temptations of deception and corruption which might be brought to bear upon them. It would be far better to throw out the Bill altogether than to expose the people to such misery and mischief as would result from its adoption with this clause. The noble Lord the Member for Stamford could not have forgotten the memorable speech made in 1857 on this subject by the noble Lord the Member for King's Lynn, who on that occasion expressed his opinion of the system of voting papers in the following terms:—

> "I object to adopt this system because I believe it will greatly increase the practice of personation.

> I object to it because it will infinitely aggravate the practice of intimidation. I object to it because it will still more increase bribery by making it safe. Up to this time there has always been a doubt that either the briber or the bribed may play false. By the system of voting papers the thing will become safe. The poor man will receive his £5 note, and the bribing agent will receive not the promise, but the thing itself, the vote."

Such was the language of the noble Lord the present Secretary for Foreign Affairs, and it was therefore on no light ground that he (Mr. Torrens) ventured to express his belief that all the Members of the Administration would not be found upon a division supporting this clause. He asked them to consider the case of the humbler classes of voters. He had no wish to treat the question *ad misericordiam*, but he thought they were bound not to place them in a situation in which temptation would be easy and detection difficult. Was it right that the agent should be able to find the voter at home with his voting paper, and be able to appeal to the wants of his children and perhaps the fears of his wife? Was it just to leave the voter exposed to all the baneful influences to which, if the voting paper system were adopted, he would undoubtedly be exposed to the very last hour of polling? It was neither fair nor in accordance with the theory and practice of the Constitution that the control of a man's vote should be given to him in such a form as to make it a marketable commodity, which he might sell like a bill of exchange or a pawn ticket. In such a case it would be wholly different to a promise made to an agent, because the voting paper, after being signed and the consideration given for it, would be doubled up and carried away in the pocket of the agent. It had been argued by some hon. Members that this was a step towards the Ballot. Never was there a greater mistake. So far from its being a step towards it, it was in reality a step away from it. The Ballot might be right or it might be wrong, but, at all events, it professed to be a neutralization of influences of a private and personal kind, which were often made oppressive, and which voting papers would make more oppressive still. He should never hesitate to reject the system of voting papers, because he was convinced that such would be the magnitude of the evils that it would give rise to, that within seven years of their adoption they would be condemned alike by the nation and the House, and the Legislature would be obliged to retrace its steps. In conclusion, he would urge on both sides of the House that they ought to discuss this question free from party feeling. He was sure that hon. Members who sat below the gangway upon that side of the House might appeal to the Ministers of the Crown whether they had not given proofs that they were willing to support the present measure at the cost of party feeling, and he implored the Government now, when they had approached so nearly to a conclusion, not to undo all that had been done by the adoption of a Clause so fatal to the efficacious working of a Reform Bill as this would be.

VISCOUNT CRANBORNE: The hon. Gentleman who has just sat down has made so pointed a reference to me, that, though it was not my intention to trespass upon the indulgence of the Committee, I can hardly allow his remarks to pass without some reply. I beg, in the first place, to remind him that this is not the first time a proposal for the use of voting papers has appeared in a Reform Bill. It was a feature of Lord Derby's Bill in 1859; and as I was not a Member of that Government, the hon. Gentleman is not warranted in attributing its presence in this Bill to my having been a Member of the present Government at the beginning the year. But there is another mistake of the hon. and learned Member, which is of a far more vital character; and I cannot but think that the hon. and learned Member, having heard the words "voting papers," has come to argue the matter without having ever inquired into what the provisions of the Bill are. He has made a most elaborate and able attack upon the system of voting papers under the Poor Law, and, without apparently having the faintest conception that there is the slightest difference between that system and the provisions of this Bill, he has applied bodily to the one all the objections applicable to the other. But what is the real state of the case? Under the Poor Law system the paper is left with the voter, he fills it up in private, and, without any precaution for its authenticity, it is afterwards collected by some subordinate official who calls for that purpose. Now, the provisions of this Bill are of as different a character as it is possible for them to be. All that this Bill does is to carry the poll into every magistrate's drawing-room. Well, that is a principle which I will justify presently; but let me remind the Committee of this,—that the precautions which are taken are such as absolutely to prevent the practices to which the hon. Gentleman has referred as occurring under the system of the Poor Law. The papers must be signed in the presence of a magistrate, and in the presence of a magistrate who can personally speak to the identity of the voter. He must attest that identity by his own signature, and the papers so signed and so attested must be presented at the polling booth by another voter who can also testify on oath to the voter's identity. I cannot imagine any proceeding of ordinary life which would not be thought to be made sufficiently secure by such precautions. Will any hon. Gentleman who knows what the magistrates of this country are, tell me that it will be an ordinary practice for a magistrate to be an accomplice in bribery, and to allow a £5 note to be handed over to the voter in his presence? ["No, no!" *from the Opposition.*] Do you mean to cast such a slur on the magistrates of this country? ["No, no!"] Well, but if you do not do that your whole case breaks down. ["No, no!"] It is perfectly true that the agent may bribe the man before he goes to the magistrate or afterwards, but so he may before or after he goes to the polling booth. The cases are exactly the same; the only check under your present system is that the bribe cannot pass at the moment the vote is given, and under the plan proposed by this Bill that check retains precisely the same force. The bribe cannot pass at the moment the vote is given, unless you are prepared to believe that Justices of the Peace will be open accomplices of bribery. I am rather sorry that the term "voting paper" has been used, because it is associated with the system under the Poor Law, which has failed. Voting, let us remember, consists of two parts. There is the declaration of the vote, and there is the registration of the vote. But for the registration of the vote, which is an expensive operation, you would make polling places so numerous that everybody would be able to vote with the greatest ease; but on account of the expenses of registration, you are obliged to confine voting places to a comparatively limited number. Now, the proposal of this Bill is to separate the declaration of the vote from the registration of it, but it takes the precaution that the declaration shall be made before an equally responsible person; for, while the registration must be made before the polling clerk, it insists that the declaration shall be made before a Justice of the Peace, and I cannot understand on what possible pretence it can be contended that the vote is less secure before the magistrate than before the polling clerk. I ventured to give a vote the other night against a proposal of Her Majesty's Government, because I believed it would expose us to two great dangers—one being the increase of illegitimate expense, and the other the practical disfranchisement of the more educated classes in the great towns. For precisely the same reasons I shall vote for this proposal. I believe those two evils to be the greatest with which we have to contend, and I believe this provision will be to some extent a safeguard against them. Everyone acquainted with county elections knows that the difficulty of getting the voter to the poll is the main burden of expense. If you insist on the voter going to the poll, you must allow expenses of some kind; for you could not sanction anything so outrageous as to say that a man, a poor man, shall travel twelve or fourteen miles at his own expense in order to enjoy the privilege of exercising the franchise. Such a measure, if enacted, would fall immediately before the common sense of the country. You must, then, allow expenses to be paid. Now, you are about to increase the county constituencies very largely by lowering the qualification from £50 to £12. I never contested a county myself, but I believe the average expense at present ranges between £3,000 and £10,000, and if that is the case it is a simple rule of three sum for anybody to ascertain what the expense will be under this Bill; for, if the main burden of election expenses arises from conveying voters to the poll, the expense of elections will be obviously increased in precisely the proportion that the number of voters to be conveyed will be increased. Here, however, is a proposal which will enable you to get rid of this enormous burden of expense, and will proportionately diminish one of the great hindrances to the entrance of poor talent into this House. It is a great evil that our election expenses should be so great. It is a great evil, not only in the interest of poor talent, but in the interest of the landed class to which I have the honour to belong, because at the present day wealth is not with them. The greatest wealth is with a very different class, and the increased expense of county elections will operate to our disadvantage. But there is also a greater evil. Everybody knows that where money passes from the candidate to the voter it carries other money with it. If there are payments of any kind to be made, illegitimate payments will be made as well as legitimate, and the system of travelling expenses is, I believe, fruitful in illegitimate expenses which are hardly to be separated from bribery. On these grounds, and for the sake of purging our elections of illegitimate expenses,' I earnestly recommend the proposal now before the House. There is likewise another consideration. There are the more educated classes in the great towns. Now, I remember in 1857 an hon. Gentleman opposite objected to my Motion, and taunted me with proposing the woman's plan of voting, because I had urged that it would enable timid persons, people who did not like to face the row and bustle and sometimes the danger of pushing their way to the polling-booth, to exercise the franchise. I hope the lapse of time has altered his opinion. One of the most remarkable things in large constituencies is the way in which the people who are fastidious or timid, or who are much engaged, habitually abstain from voting. We know it in this metropolis. There is the borough of which I am a voter, Marylebone, which, with 21,000 voters, has never polled more than 10,000. So with the City of London; everybody knows that a great number of the wealthiest and most important men in that the most important constituency of the Empire never approach the polling-booth at all. You may rail at those men, and say they ought to be bold enough not to mind fighting their way to the poll and being bonneted and spat at, or having a brick heaved at their head here and an orange there, and that they ought to face these things for the sake of their country. But they will not. Say what you will to press these men to undertake this patriotic duty, you will be met by the stern fact that they will not come. The truth is, that, except on very extraordinary occasions, the feeling of patriotism is not sufficiently strong to make a man care much for a fourteen-thousandth part in returning a metropolitan Member. But whether these men ought to come or not, it is your interest, now that you are trying to get at the mind of the whole nation, now that you are trying to make this House the representative of every class, neglecting none, to do all you can to encourage these men to express their opinions. Considering what the greatness of this country rests on, and what the class of merchants have done for it, I should be inclined to test the efficiency of any system of recording votes by asking whether the votes of those who are practically interested in commercial affairs, and other analagous classes who are well qualified to give an opinion upon the most important questions which agitate this community, are collected at the hustings. It does seem to me that the fact that in this great metropolis the more cultivated classes abstain from the polling-booth is the most fearful condemnation of the system you are trying to change. The hon. and learned Gentleman has talked of the present proposal being new. It is very strange, but the objection to anything being new comes now entirely from Gentlemen of his extreme opinions. I venture rather to say that when you choose to introduce anything that is new you must have a great deal that is new. It does not do to innovate a little. You must innovate a great deal, and this is one of the last things which I should have thought an advocate for progress would resist. Why did not people 500 years ago send their votes through the post? Why, because there was no post, and therefore they went to the poll. But this disability imposed upon them by the backwardness of the age is dear to the hon. and learned Gentleman, and he erects it into one of the institutions of the British Constitution. We ought to take advantage of every convenience of science and art, and to use every contrivance that can aid to gather together the opinions of all, whether feeble or strong, whether poor or rich, whether sick or healthy, whether distant from the polling-booth or near it. And the system that professes to do this is one which in the solitary instance in which it has been tried has exhausted the opinions of the constituency to which it has been applied. Such a system ought not to be lightly rejected by the House, and if the House obstinately adheres to the old system, which has been tried and a hundred times found wanting, it will be guilty of a conservatism from which I recoil—a conservatism of all that is barbarous and inconvenient—a conservatism of what I may be pardoned for saying is stupid and absurd.

SIR ROUNDELL PALMER: It appears

to me that this is eminently a practical subject, and it is not possible to deny that much may be said on both sides of the question. The noble Lord has presented, with his accustomed ability, the reasons in favour of this proposal. After the best consideration that I can give to the subject, it appears to me that the reasons against its adoption greatly preponderate. The Act for taking voting papers at elections for the Universities has been tried under circumstances most favourable to its success. They are constituencies which no one for a moment can suppose to be open to corruption or intimidation, and there is every guarantee for the sound judgment and integrity of every officer who is called upon to administer the Act. I can give the Committee some information as to the practical working of the Act, because I happen to be legal adviser to the University of Oxford, and I can assure the Committee that a multitude of questions of practical difficulty arose at the last contested election for the University of Oxford. Every post brought me questions from the Vice Chancellor and others concerned in the election, and sometimes I received them by telegram as well as by post. I believe that the questions which would arise under the system of voting papers in elections for boroughs and counties would be still more numerous, and more difficult of practical solution than those at the elections for the Universities. If there were no other objection to the present Motion, this would be worthy of attention, but there are many important considerations which connect themselves with the practical working of the system. There must be a person to collect the voting papers; and, either by hook or by crook, he must be able to say that he is personally acquainted with the voter. Now, there are a great variety of ways in which a person may do this. He may have a real knowledge of the voter, or he may speak at second-hand—say that some one whom he trusts and knows enables him to authenticate the identity of the voter. The result is that the statement must too often degenerate into a mere matter of form. Even in the elections of the Universities, where the election agents are men of the utmost honour and integrity, they are obliged to speak of personal acquaintance with the voter in some such way as this—that they know that there is such a voter on the books of the College, and that they have some sort of knowledge that satisfies them that he is the individual who signed the voting paper. But if there is this difficulty of attesting a vote in the case of the comparatively select constituencies of the Universities, it may safely be assumed that in other places you could never rely on getting a real, trustworthy, practical knowledge of the voter. Again, when all these voting papers are collected together in one man's hands, what security have you that they will be used? This Bill does not provide against the suppression of voting papers, and there is danger lest the election agents should make them the instruments of negotiation. They may be kept back; there may be a bargain for withholding them; and they may become mere instruments for managing difficult elections. They may be given in during the whole interval which elapses from the time when the returning officer declares the day of election and the day on which the election takes place; so that those who are interested in getting promises and bringing their influence to bear upon voters may take them at once before the nearest magistrate; or the magistrate may himself take part in the canvass, and may come to them. They will strike while the iron is hot. The voter must declare that he has signed no other paper, and the Act literally interpreted may be held to take away any power of retracting the voting paper when it is once given or giving another to nullify its effect. The only way in which this can safely be done is by the voter going and voting in person. That opens the widest door to every kind of undue influence, and you are by this proposal giving a machinery for putting the screw upon voters which will create the greatest public discontent. This proposal of voting papers is the exact antipodes of the ballot. That is intended to withdraw the voters from influence, but the effect of this system is to bring the voter under the pressure of the utmost possible influence, and then to take away the power of retracting his promise. If the voter wrote to the agent to say he was not to deliver the voting paper, and the agent set him at defiance and gave it in, the voter could not help himself except by going to the poll and giving his vote in person. Such a system will to a great extent aggravate all the evils of canvassing. Persons supposed to have influence over the voter will get hold of him privately, either in his own house or theirs, and will bring all their influence to bear. The man may say, "I would rather not promise now." But all sorts of pressure will be used. The man may be urged to give his promise, and, if it be not a magistrate who urges him, and who can himself do the business, he will be taken at once before the nearest magistrate. With regard to personation, the evidence taken before the Committee of the House of Lords on the working of the Municipal Corporation Act shows that the use of voting papers at municipal elections leads to a very great amount of personation. These voting papers, under that Act, are given in by the voter himself, who swears that he is the person whose name appears on the voting paper; he is required to answer all proper questions put for the purpose of identification; and he is liable to the penalties of misdemeanour if he answers falsely. Yet all this does not prevent the evil of personation. What are the checks against personation provided under this Bill? As far as I can see, there are only two. The first is, that the magistrates before whom the paper is signed must state that the voter is personally known to him, and the person who delivers in the proxy must say the same. I wonder it has not occurred to the authors of this Bill that a common form prescribed in an Act of this kind will be interpreted by those who carry it out in the most lax way, even without any intentional absence of conscientiousness. I do not impute it to them as anything blamable, but many magistrates would look upon the words referring to a personal knowledge of the voter as a mere matter of form, if there was no reason to suspect anything wrong in the case. If the voter was introduced by a person whom they knew, they would say to their friend, "Do you know this to be the person whose name is signed?" and if he said, "Yes," the paper would be signed without further inquiry. I do not say that nine out of ten of them; but, even amongst ourselves, a very large proportion of hon. Members would regard the personal introduction to them of a man by another who was known to them as a sufficient ground for saying that they personally knew him. There would, therefore, be no effectual check whatever against a large amount of personation, and the experience of the Municipal Corporation Acts proves that that evil is not sufficiently guarded against by making the persons guilty of it subject to the penalties of misdemeanour. But in this Bill there are no effective penalties provided against personation. Its penalties are levelled merely at the parties who may actually fabricate or palm off a falsified voting paper. There is no penalty applicable to any man, other than the person actually making a declaration prescribed by the Act, who wrongfully says he has a personal knowledge of the voter; the penalty is confined simply to the forgery of the voting paper, and to wilfully false declarations by the justice or the proxy: and, of course, the person using it might not know that it was not genuine. Thus the various instruments in the transaction might escape the penalties altogether. This, therefore, is the very machinery you would use if you wanted to facilitate the intimidation of the poorer voters. There are one or two other points on which I wish briefly to touch. It has been said that we ought to make it easy for people at a distance to vote. Now, I am not sure of that. We have rejected the principle of plural voting at the same election. But at present a species of plural voting exists in favour of the wealthy classes which would be greatly increased if this provision is adopted. I hope I may be pardoned if I take my own case as an example; but on counting over the number of votes I am now entitled to give I find they amount to seventeen or eighteen in the whole, for seven different constituencies. Practically speaking, I cannot use them all, because I cannot be in so many different places; yet I am generally able to give my vote at more elections than one. But by the proposed system I should be able to give every one of those seventeen or eighteen votes. Now, I confess I think the influence of the wealthier classes is sufficient already, and I believe it will continue to be sufficient under this Bill in whatever form it is passed, and it does not seem to me a recommendation of this proposal that it would tend directly to multiply that influence. At the same time, I can understand that different views may be taken by the noble Lord and others on that point. I agree with the noble Lord the Member for Stamford that it would be a desirable thing to bring about a diminution of the expenses of elections—but I think that may be done by less objectionable methods than the proposal now before the House — such, for instance, as multiplying the polling-places, so as to enable the electors to vote as near as possible to their own homes. On the whole, I repeat that the balance of argument appears to me greatly to preponderate against the clause.

Mr. BERKELEY said, he had been all his life an advocate for the protection of the elector; he had therefore carefully looked into this measure, with a view to see whether it would afford any protection to the voter, and he had arrived at the conclusion that it would have decidedly the contrary effect. It would greatly facilitate bribery, because the voter would go to the agent for corrupt practices, make his bargain with him, and could obtain the money at the same time that he handed over the paper. Those whom it would really protect were the men who wished to intimidate the honest voter and to corrupt the needy or the venal one. On this subject he might quote the opinion of a right hon. Baronet now no more, whose memory was held in honour in that House—the late Sir James Graham. That right hon. Baronet, in the debate on the voting papers in the Bill of 1859, in a graphic sketch described how the landlord would issue his instructions to his agent to see that the tenants all signed their papers; that the forms were correctly observed; that they were correctly attested before a magistrate, and then all the votes on the estate might be obtained without the cost of a breakfast. The same high authority expressed his firm conviction that the adoption of voting papers would so increase both bribery and intimidation that after the first general election the demand for absolute secresy of voting and the ballot would become universal. When the University Act was passed, Sir James Graham said that the Tory Government, having ceded the right of voting by papers, must eventually yield the ballot. To that opinion, he thought, some importance ought to be attached, and if the present Bill were passed with the obnoxious clause under discussion, it would be found—the suffrage having been extended to the lower orders, who, though they might be honest, were more open to be influenced than those who occupied a more independent position—that at the next general election a state of things would prevail which all lovers of their country must greatly regret; intimidation would become stronger than ever, and bribery would be found in every corner of the country.

Sir JOHN PAKINGTON: I, for one, am very anxious to see this clause adopted, and as reference has been made to a speech which was in 1857 delivered by my noble Friend the Secretary for Foreign Affairs [Mr. Bright: In 1859.] No, in 1857. I beg to remind the Committee that that speech was made before the clauses providing for security of voting were adopted in the Bill of 1859, and before that Act of Parliament was passed, of which we have this evening heard so much from the hon. and learned Member for Richmond, introducing this mode of voting into the University of Oxford. I will upon that point only add that my noble Friend is a party to the proposal which we now make. As to the debate generally, I may say that I have observed its tone with great satisfaction. It has been truly stated that this is not a party question. It is entirely one of a practical character. What we have to determine is whether or not we are likely, by the adoption of this system of voting papers, to improve the conduct of our elections. As one of those who were responsible for the Bill of 1859, I have always felt very strongly that such a system would be productive of the greatest advantage provided due precautions could be taken against its abuse. I admit that a great deal may be said on both sides. The first consideration that presents itself to the mind of every one is, whether or not there is danger in the introduction of the system. I admit that there is great weight in what has been said by the hon. and learned Member for Richmond. The hon. and learned Gentleman has given us the result of his experience with respect to the late election for the University of Oxford; but it appears to me that he overrated the practical difficulties which he says arose in that instance. I would beg his attention to the language of the declaration which is to be made by the person who represents a voter at the poll. It is this:—"I solemnly declare that I am personally acquainted with A. B."—the voter. Now, am I to understand the hon. and learned Gentleman as having stated in the face of such words as these that members of the University of Oxford, gentlemen of high standing, did not hesitate to make such a declaration with respect to persons of whom they knew nothing?

Sir ROUNDELL PALMER: Certainly not. What I meant to convey was that there might be an introduction to which faith might be attached, though the person introduced might be unknown to him to whom the introduction was given.

SIR JOHN PAKINGTON: Well, I am sure the hon. and learned Gentleman will at once admit that the case of the University of Oxford is very different from that of other constituencies. The long distances which many of the University voters have to come to tender their votes would in itself constitute a reason why greater laxity of practice should exist than would probably be the case with regard to voters in boroughs. But as in place of a single security the Bill provides, a double security. I think this may fairly be held to be sufficient. I would, besides, appeal to the hon. and learned Gentleman to say whether he did not to a considerable extent meet the objections which he has urged against the proposed mode of voting when he stated that if it were admitted great care would be necessary in revising this Act of Parliament. Now we have no objection that that revision should take place, and there would, I think, be very little practical difficulty in adopting a machinery which would prevent personation or any of the other abuses which the hon. and learned Gentleman has pointed out. The hon. Member for Finsbury, too, dwelt at great length on the experience to be derived from the working of the Poor Law; but his observations have been so well answered by my noble Friend the Member for Stamford that I need not advert to them at any length. The experience derived from the Poor Law is really no experience at all, because the whole system of giving votes under its operation is entirely distinct from that which we propose in this Bill. In the first place, in the case of the Poor Law, there is no alternative, inasmuch as there is only one mode of voting, a man having no power to go up to a hustings and to give his vote; and, in the second, there is far greater opening for abuse. But if there be some difficulty in the way of adopting the proposal which we make, let me ask the Committee to consider its advantages. It will, as has been forcibly pointed out by my noble Friend the Member for Stamford, greatly tend to diminish expense, one of the admitted evils attendant on elections; and one which, unless some steps are taken to check it, will, I am afraid, be increased under the operation of this Bill. As to intimidation, I do not apprehend, notwithstanding the quotations from the speeches of Sir James Graham made by the hon. Member for Bristol, that the power of landlord to coerce his tenants would be greater under the system of voting papers than under that of open voting. There is no doubt that if the landlords wish to exercise the power they possess they can do so to a large extent, but I cannot think that power will be in the least degree increased in consequence of the facilities which we propose to give, while, upon the other hand, that sort of intimidation which consists in personal violence and in the difficulty which many persons find in obtaining access to the hustings will be entirely done away with. I am not sanguine enough to think that it will have any great effect in the way of diminishing bribery; but I believe, so far as it goes, it will tend to diminish it. The case put by the hon. Member for Finsbury as to one party giving the money and the other signing the paper I consider a purely imaginary one. The hon. Member forgets that the transaction will not be between the candidate and the voter at all; the party must go before the magistrate, and there the voting paper must be signed. The real question seems to be, first of all—will not this give great facility in the exercise of the franchise; will it not avoid intimidation; will it not greatly diminish expense; and will it not extend the power of voting to many who, from one cause or another, are practically prevented from exercising their votes? These, in my opinion, are the advantages that will arise from the adoption of this clause. On the other hand, there is the question whether the machinery is or can be made such as to prevent the possible evils that may arise. I do not deny the existence of these evils; but if the law is as stated by the hon. and learned Member for Richmond, there can be very little difficulty in amending it to protect the voter from any of those evils which he anticipates. I cannot therefore help thinking the balance of advantages is in favour of adopting the mode of voting proposed by the clause.

MR. OSBORNE: Sir, I am not one of those who would be deterred from giving my support to any measure because it was a new one; but I cannot help thinking that the question brought before us is rather in the nature of a tentative reform. I do not recollect any Bill in which such a clause has been introduced. It introduces a totally new principle in the taking of votes, both in counties and boroughs. The clause says that—

"Any elector may give his vote by a voting paper in the same manner and subject to the same conditions in and subject to which an elector of any of the Universities of Oxford, Cambridge or Dublin, may give his vote, and all the provisions of the Acts—quoting them—shall, with the requisite variations, apply accordingly"

to counties and boroughs. "Requisite variations!" What can this House know about "requisite variations?" I say under these "requisite variations" the House is rushing into alterations of the whole system of taking votes which will give facility, not to the voters, but to fraud. The right hon. Baronet has talked of our inexperience in these matters. It is true, we are totally inexperienced. An University franchise is no fair parallel to establish. It is an educated constituency, where all can read and write ; but you are going to apply the mode of voting at an University election to the great mass of the constituencies, a great portion of whom cannot write. Yet, even in the case of the Universities I believe the greatest difficulty has been found in connection with the voting papers; and if mistakes have been made there, what may we not expect in the case of unenlightened populations containing many who are unable to write at all, or who can only write with very great difficulty? We have heard something of transferring the poll to the magistrate's drawing-room, but that is one reason why I should oppose this clause. This transference to the magistrates' drawing-rooms — what does it mean? We know very well how magistrates are made in this country. Is it not notorious that batches of them are made at a time ? How is it? If a Conservative Lord Chancellor comes in he makes a batch of Conservative magistrates ; and if a Liberal, or what is called a Liberal, Lord Chancellor comes in, he makes a batch of Liberal magistrates, not because they are wealthy or influential, but because they have been useful to their party. ["No, no!"] Oh, but it is so. We have had that subject canvassed in this House repeatedly, and only the other night a question of that sort was raised. Suppose a voter should go before a Dover magistrate. What would his scruples be, do you think? Whatever the House does, do not let it make the great mistake of transferring the whole of this business to the magistrate's drawing-room. We know what would take place in this country under such circumstances, and I would ask the House what would be likely to take place in the magistrate's drawing-room in the sister country. Party feeling runs very high there. It is all very well for hon. Gentlemen to get up and quote great sentences from Acts of Parliament to show that gentlemen cannot do this and cannot do the other. They would not do it in cold blood; but in the excitement of a contested election, and under great pressure—with a Conservative party, it may be, to bring into power in order to pass a Reform Bill—what would be done then? Let us avoid as much as we can this transference to the magistrate's drawing-room. I do not say there may not be many conveniences in voting papers in certain cases, and with regard to absent voters, but the House should regard not merely the convenience of the people who lived at a distance from the polling-booth, but the probable effect of such a measure as this on the great masses of the people in promoting fraud, corruption, and intimidation. The right hon. Gentleman the Secretary of State for War has quoted from a speech of the noble Lord the Member for King's Lynn who certainly made one of the strongest speeches on principle against a proposal of this nature; but the right hon. Gentleman pointed out that the noble Lord was now a member of the Government. The fact of being a member of the Government certainly did involve some monstrous changes. The right hon. Gentleman acknowledges that this is a leap in the dark when he talked of the inexperience of the House in regard to it. The Government had taken one of the greatest possible leaps in the dark in introducing this Bill at all. The noble Lord the First Commissioner of Works (Lord John Manners) had also been against a scheme of this kind, and he believed that the right hon. Gentleman the Secretary of State for War himself, in one of his confidential meetings with his constituents at Droitwich, had deprecated this system of voting papers before he joined the Government in 1859. The question may not be discussed in a party sense, but how will it be used? For party purposes. They would be having every borough magistrate—selected not for his great respectability or wealth, but for his great exertions on behalf of one party or the other—continually straining a point or two when poor trembling John Thomas was taken into the drawing-room and asked how he meant to vote. Away with the fallacy of supposing that because you are bringing the poll into the magistrate's drawing-room you are advancing freedom of election to the people of England! This may become a very serious question. I never heard so large a question brought forward in such a manner. The hon. Baronet the Member for Radnorshire was the mouthpiece of the Government. He made the only explanation the House has yet received of the clause. Nothing was said on the second reading about voting papers. The Universities of Oxford and Cambridge have been appealed to, but the character of the constituency there is very different from that of the country at large. In the case of the Universities the constituency is to a great extent non-resident; the character of the other constituencies consists in the localism of the voters. But even the experience of Oxford is not in favour of the new system, because the resident voters by a considerable majority polled for the candidate who was turned out, while the non-residents brought in the sitting Member. I cannot believe that the right hon. Gentleman opposite is at all anxious for the adoption of this clause. It is only another instance of the bucolic pressure put on the Government, and the more enlightened minds on the Treasury Bench dislike it. Had it been otherwise the Chancellor of the Exchequer would himself have explained it. I have always noticed as a remarkable fact that those clauses which the right hon. Gentleman does not like he never says a word about and never attempts to explain; but he generally puts up either the Secretary of State for War (Sir John Pakington) or the Home Secretary (Mr. Gathorne Hardy) to do the work for him. Let us do our work, however, consistently, and for once give a vote which shall destroy in the bud this endeavour to debauch and defraud the constituencies of the country.

MR. KARSLAKE said, he did not think the hon. Member for Nottingham was justified in saying that the House were about to take a jump in the dark, for voting papers had already been tried at Oxford and Cambridge with great success. They had heard most important testimony as to the working of the new system from one of the best authorities—his hon. and learned Friend the Member for Richmond —as he was not only a University man, but University Counsel. They had been led to expect that the hon. and learned Member for Richmond would say something new which would have an important bearing on the clause, and that he would give instances of personation and misconduct such as had been suggested, but all he said was that the Vice Chancellor for the time being had stated to him, as Counsel for the University, a number of cases on a variety of minute points on which he (the Vice Chancellor) required assistance. If all the objection that could be adduced to the working of this system of voting papers in connection with the Universities was that from time to time he had been troubled with difficult cases, there was not much to fear from its adoption in other constituencies. It was not to be expected they could adopt any new system without encountering difficulties for which a solution must be found. He listened with surprise to the statement of the hon. Member for Birmingham, that there had been no request out of doors for the introduction of voting papers. The borough which he had the honour to represent (Colchester), long before it was known that the Government would propose this clause and long before it was known there would be an election in anticipation of the general election, had urged upon him that as regarded that borough and others similarly situated, there was hardly anything of more importance than the adoption of voting papers; and no such "bucolic pressure," as that referred to by the hon. Member for Nottingham, had been applied to produce that conviction. The advantage of the system was manifest. There really could be no difficulty in the matter. He did not see that there could be any distinction drawn between Oxford and Cambridge and other parts of the country. What possible good could there be in bringing a man, at an inclement season of the year, more than seven miles over hilly roads in order to record his vote? He had had to canvass a man over ninety years old, and stone blind, and finding that he was seven miles off the polling-booth, was inclined to say, "Although I have come to ask you for your vote, as I shall have plenty of votes without yours, I would rather lose it than put you to the trouble of coming." [An hon. MEMBER: But did you say it?] He did. [Mr. M'CULLAGH TORRENS: That blind man could not fill up a voting paper.] Most blind men, even those who had been blind from birth, could make a mark, and might be permitted to do so in the presence of respectable magistrates. If the country at large would benefit by the introduction of voting papers, the objections ought not to prevent the adoption of the system. The effect of not adopting it was to put money in the pockets of the proprietors of vehicles which brought voters to the poll. The opinion was entertained on both sides of the House that election expenses ought to be curtailed. They must necessarily be large in a borough with a radius of seven miles, and the expenses in question ought to be got rid of unless it could be shown that proportionate advantages depended upon their continuance. The hon. and learned Member for Richmond was hardly as qualified as others to express an opinion on the subject, because for many years it had been his good fortune to escape a contested election ; and therefore he did not regard the matter of expense as many other Members did. He was by no means prepared to admit it was an objection that a man might have seventeen votes, for the possessors of such a number would generally be men of education, and if the hon. and learned Member for Richmond had so many, and gave one in the borough of Colchester, he should expect, as a Conservative, to receive the support of the hon. and learned Gentleman, who was described in *Dod* as a Conservative, although he sat on the opposite side of the House. He believed this clause was a step in the right direction, and he believed that this clause, instead of increasing bribery, corruption, and intimidation, would, beyond all doubt, sensibly diminish those evils. His hon. and learned Friend seemed to consider it a grievance that a man should be compelled to make up his mind ten days before an election ; but he (Mr. Karslake) suspected that the man who insisted on waiting until the last minute to make up his mind was very likely to have a sinister reason for doing so. The objections which had been urged against the clause did not go to the principle, they only applied to details ; and if the hon. Member for Nottingham (Mr. Osborne) could make the clause more stringent and more effective, he would be listened to with attention. It was hard to understand how intimidation could possibly be increased by enabling men to stay away if they chose, and only if they chose, to avoid the turmoil of an election. It seemed to him that you thereby saved men of weak physique from the chance of intimidation by mob violence, and that both corruption and intimidation must of necessity most materially decrease if this plan were adopted. There was no reason to suppose that the provision would be carried into effect in any cases except those in which it would be almost impossible for people to appear at the polling-booths ; for they might depend upon it that Englishmen would be Englishmen still, and would continue to present themselves wherever there was a chance—he would not say of a row, but of a crowd, and there was a duty to be performed. But there were persons whom it was desirable to protect from the excitement of a contested election; and let it be remembered that the public peace was frequently in danger of being disturbed upon those occasions. Such a danger had arisen in the case of the last election for the borough (Colchester) which he himself had the honour of representing; and he appealed in justification of that statement to his hon. Colleague (Mr. Rebow), from whom he differed in politics, but for whom he entertained the highest personal respect. If voting papers were used candidates would clearly be saved a heavy expenditure in the conveyance of voters to the poll. Moreover, this was no mere experiment, but a tried system, which might, he believed, with the necessary changes, be extended with advantage from the Universities to the constituencies at large, and he hoped the Committee would adopt the proposal as a remedy for admitted evils in our electoral system.

Mr. NEATE said, that the hon. and learned Gentleman who had just sat down had spoken on this question principally with reference to borough elections ; but the chief aim of the clause was in another direction. The hon. and learned Gentleman could hardly have looked into the Act on the subject of the University voting papers, or he would have found that it could not be applied in the same way to borough elections. The Act required that the voting papers should be dated after the day fixed for the election. Now, in the case of University elections which lasted for eight days, there would be ample time for filling up the papers after the day of election was fixed ; but in the case of boroughs where the return came so quickly after the day of election, the use of voting papers would be a very different thing. He did not, indeed, believe that there was any such practical difficulty in the use of voting papers as might not be overcome. But, nevertheless, it did happen that a great many educated gentlemen going before educated magistrates did not know how to comply with the requisition, and that he could state from his own experience. If, then, many Masters of Arts were unable to fill up the voting papers properly, how much more reason was there to apprehend that ordinary electors would often fail to conform to the conditions of the clause? But it was in counties principally that it was supposed that these voting papers would make a large number of votes available. Under the law as it stood a 40*s.* rent-charge on the land would give a vote, although, under present circumstances, the landlords, who could create them, did not much abuse their privilege. If, however, this clause were to pass, there would be the greatest possible temptation to landholders, whether Conservative or Liberal, to coin their land into votes of this kind. Five or ten thousand gentlemen, living in London, who could be trusted, might thus be provided with votes in every county in England. Believing, then, that the clause was nothing more than an insidious proposal for the creation of paper voters, he would certainly vote against it.

MR. REBOW said, that his hon. and learned Colleague (Mr. Karslake) appeared to think that a riot would have taken place at the last election for Colchester had it not been for the presence of the county police. But he (Mr. Rebow) believed that it was in consequence of the imprudent introduction of the police into the borough that any such danger had arisen, and the moment they were removed the proceedings were conducted as quietly as on former occasions. He believed that polling papers would open the way to great intimidation and corruption, and he should therefore vote againt the clause.

MR. GOLDNEY said, that the practical way of looking at the question was to consider the time fixed by law for recording votes at elections, which was between the hours of eight and four. If regard were had to this fact no one could fail to see that the use of voting papers would enable large numbers of people to exercise the franchise who were at present virtually debarred from that privilege. The House by this Bill was about to make a greater extension of the franchise than ever had been made before; but unless voting papers were allowed, a very considerable proportion of those who were to be admitted would be shut out from exercising it. Let them take the case of the ordinary working man. He went to his work at six o'clock in the morning, and did not return till pretty late in the evening. If he happened to be employed in the neighbourhood where he was entitled to vote, he might record the vote during his dinner hour. But a large proportion of mechanics being obliged to work at some distance from the places where they resided, it was impossible for them to exercise their electoral privilege. Voting papers, on the other hand, would enable them to do this when taken away by their ordinary employment. Medical men were another class that had frequently to spend the greater part of the day at places distant from the districts in which they resided, and it would be a great boon to them as a body if some such means as was proposed in the clause were afforded them for recording their votes. One of the Members of the City of London had stated, on a recent occasion, that not fewer than 750,000 persons connected with the metropolis would be in effect disfranchised if they were not allowed the use of voting papers, because during the greater part of the day they were away from the place of their residence. How could persons like these, who were all engaged in business, be sure of an opportunity of going to a polling-booth? In the borough of Marylebone, for instance, on a recent occasion only 10,000 persons voted out of 20,000 electors, and the reason of this was that they had to follow their avocations in the City, and could not go to the polling-place between eight and four o'clock. The same remark applied to many of the middle classes of Brighton who came up to London during the day. The whole argument against the use of voting papers was that they would foster bribery and intimidation. He did not believe that; on the contrary, he thought they would rather tend to discourage such misdemeanours. They had an example in the case of the Municipal Corporation Act. All the objections now urged against voting papers except that of personation were equally applicable to that Act, and yet it had been found to work admirably. One of the clauses contemplated the case of a voter who had already signed a voting paper presenting himself in person to vote, and there were altogether five checks against the improper use of the papers. He was therefore of opinion that the advantages and facilities which would be conferred by the voting papers would be very great, and that the number of persons who would be practically enfranchised through the medium of the voting papers would prove an advantage that would much more than counterbalance the anticipated evils of corruption, and he hoped the Committee would not reject the clause.

MR. DENMAN said, he hoped that on this occasion hon. Members on the Government side of the House were open to reason and conviction, and that they would not by giving a party vote introduce into the English constitution a new and most mischievous element. A good deal had been said with reference to the Universities, but when, a few years ago, the Oxford and Cambridge University Bill was before the House, he voted for it upon the ground that it was an exceedingly exceptional case, and entirely different from that of all other constituencies in the Kingdom. Owing to the scantiness of means of some of the most worthy and highly-educated members of those Universities, and to the great distances at which they resided from the polling-places, the normal state of things was that out of about 4,000 Masters of Arts whose names were upon the register, only some 1,500 or 1,600 came to the poll. When that Bill was before the Committee, one of the points most insisted on was that every conceivable safeguard should be devised, and he believed they did eventually arrive at a plan which, upon the whole, was not open to much abuse. If, however, he had had the slightest idea that the carrying of that Bill would have been made a precedent for such a proposition as was now before the Committee, he never would have been a party to it. He believed this clause was open to all the objections which were removed in the case of the Universities Bill, from the fact that the persons who had the vote there were persons whose education and position in society gave a guarantee that they would not be operated upon by sinister means. Let them observe how the clause would really operate. One thing was clear — namely, that immediately upon the nomination of the candidates an election agent would appear an active, busy, intelligent, unscrupulous man, who would hunt up doubtful voters in every part of the kingdom, offer them all sorts of inducements, provide them with voting papers already drawn up, and take them to some magistrate, who would only have to ascertain that the man was a voter on the register, and the agent would then be able to make what use he chose of the votes. That surely would greatly facilitate bribery, corruption, undue influence, and that intimidation which came from undue influence. With regard to the expense of bringing voters to the poll, he took it for granted that the Government really intended to have additional polling-places, and therefore that argument for the clause was entirely gone. There would be certain advantages, no doubt, in voting papers; but looking at the evil consequences certain to result the balance was entirely against the system. Every lawyer knew that when an Act of Parliament provided strict machinery for the exercise of a right, carefully as the law might be framed and well selected as the officers might be to carry it out, mistakes were sure to be made, and if they adopted such a plan in the case of poor and ignorant persons those mistakes which occurred even in the Universities of Oxford and Cambridge, would be immensely multiplied. Magistrates were not infallible, and if questions were to be raised before them upon these voting papers there would be quite as great a disfranchisement of honest voters as there would be an enfranchisement by the clause. It must also be remembered, in answer to the argument that it would lessen the cost of elections, that to lessen the cost of elections was likely to render contests more frequent. This was therefore an important but rash step, which might act practically as a measure of disfranchisement, and entirely change the aspect of election proceedings, and if the House regarded the subject on its merits, and not from a party point of view, he believed there would be a general agreement that the proposal should not be accepted.

MR. PACKE said, that as the second county Member who had spoken on this clause, he wished to state his reasons for thinking it one of the most useful in the Bill, and one for which there was an absolute necessity. Elections, which were now limited to one day, were very different to those which lasted for fifteen. At present electors in counties frequently found that they had engagements at fairs and other places on the one day set apart for polling, whereas at the Universities the choice could be made of any one day in five. It had been said during the debate that a considerable portion of metropolitan constituencies did not vote at elections. At the election of Mr. Edwin James for Marylebone it was stated that 11,000 voters did not vote; and when the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) obtained his seat it appeared at the declaration of the poll that 10,000 voters did not vote. He claimed the vote of the hon. Member for Westminster in favour of the clause, because if women were to be admitted to the franchise they ought not to be under the necessity of facing a violent mob, say at Covent Garden, for the purpose of recording their votes. Feeling that every one entitled to vote ought to have the opportunity of voting, he most heartily supported the clause.

MR. SYNAN said, he would not have taken any part in the discussion, but that the proposition before the Committee affected Ireland. With reference to a remark made by the hon. Gentleman who had just sat down, he hoped that the clause would never be passed until the proposition of the hon. Member for Westminster for the enfranchisement of women had become the law of the land. The ballot was resisted on the ground that the vote was a trust which ought to be exercised under a responsibility which could only be discharged in the open day and under the eyes of the public; but they cut away that constitutional principle when they enabled a man to vote privately, and transferred the polling from the public booths into the magistrate's office. If voting papers were posted there would be no means of knowing whether they were ever received and recorded, and the clause would place absolute power over the election in the hands of the returning officer. The proper remedy for the expense of elections was to make all expenses illegal, and not to change entirely the system of voting. It had been said in the course of the debate that out of 20,000 voters in the borough of Marylebone, only from 8,000 to 10,000 recorded their votes; but was there any Member of the Committee who believed that every elector in that borough could not have voted if he liked? Voting papers would increase the gangrene of intimidation, which, at all events, was now checked by public opinion to some extent. In country districts the peasant would be taken to the drawing-room of a magistrate, and be subjected to influences which it would be impossible for him to free himself from. What public opinion would then be there to protect him from the influence of wealth and power? None. At present the voter was protected by public opinion, although, no doubt, that public opinion was sometimes exhibited in too strong a manner—but by increasing the polling-places, and by many other means, all that evil could be prevented. He was glad the experiment of voting papers was proposed to be tried first in England, where he believed it would be resisted successfully, instead of in Ireland, where it might be forced on the people.

MR. LABOUCHERE said, that though he was a Liberal, he should not treat this as a party question, and should therefore vote with the Government. On every question there must be advantages and disadvantages, and it was only by balancing these that a reasonable conclusion could be arrived at; and it appeared to him that there were many and great advantages in favour of the system of voting papers. The payment for the carriage of voters would at once be done away with, and, as stated by the noble Lord the Member for Stamford, the carriage of voters involved many indirect methods of giving money to electors. Money could not be given to the electors themselves, therefore means of conveyance must be provided for the whole constituency, the practical effect of which was that to secure the votes of owners of carriages large sums were paid for the hire of vehicles, many of which were never used at all. It was certain that hon. Gentlemen opposite would not vote for doing away with the legality of paying the carriage of voters to the poll unless voting papers were allowed. In some districts, though not in the metropolis, there were such disturbances at the poll that people were prevented from coming to tender their votes, and it was obvious that if Parliament limited the number of people at the poll they would lessen the rioting at the booths. It was undeniable that a good many quiet people were afraid of going to the poll, and when it was found that, owing to the machinery of elections, these persons could not be induced to vote, it was the duty of that House to try a change in the machinery. He was at a loss to see how the use of voting papers could increase intimidation. One would suppose that there was no such thing as intimidation known at present. But did the opponents of this clause imagine that a man always voted now without thinking of his landlord or those who had influence over him? These persons knew very well how the man voted at present, and if they wished to intimidate him they could do it equally well without voting papers. The arguments against voting papers were still weaker in boroughs than in counties, for in boroughs it was known how every man would vote. In small boroughs there was often a doubtful class to be found who were influenced by money, and when a candidate or his agent was not prevented by conscientious scruples he went into the market and bought them up. He thought it would be a great advantage if these persons could be induced earlier to state how they meant to vote, and that they should be unable to change their mind. The presumption was that when the small householder changed his mind at the last moment of an election he had very good reason for so doing. An hon. Member had contended that these voting papers were not good for Ireland. He had never been to Ireland; but he had read accounts of Irish elections, and he thought they might be better conducted. He could not help thinking it was better to even go before a magistrate in his drawing-room than to be escorted to the poll by the military and bombarded by bricks and other missiles. The salutary influence of public opinion may eventually mend matters; but the real remedy for all this was the ballot. If the House adopted the ballot they would do away with all sorts of intimidation. It was said that the clause would give rise to mistakes, and that some of the lower class of voters wrote so ill that the names of the candidates would be illegible. If so, it would act to a certain extent as an educational test. He was a Liberal; but, at the same time, he held that if a man could not write the name of the candidate he wished to vote for distinctly and legibly he was not a fit person to be intrusted with the suffrage. There was, he believed, a strong feeling on the Liberal side that many of these quiet persons who staid at home and did not now vote at elections, but who were likely to do so under the proposed system, were Conservatives. ["No, no!"] That feeling was, he believed, at the bottom of the opposition to this clause, and therefore every impediment was thrown in its way. From the arguments he had heard that night he should really be tempted to suppose that the opposite (the Ministerial) was the Liberal and his the Conservative side of the House. He should vote in favour of the clause, because he thought voting papers would afford greater facility for voting than at present existed.

Mr. AYRTON said, that the hon. Member who had just spoken might have contented himself with differing from Liberal Members on this question without imputing motives to them, which, however, it was easy to show had no existence. The Government by this clause asked the House to change the entire system of voting without laying any distinct proposal before them, but by attempting to carry out the provisions of a very special and exceptional Act passed for a particular case. This Act arose out of the proceedings of the Select Committee on Corrupt Practices at Elections. That Committee had very curious views on the subject of voting developed before them, and they were decided in opinion against the introduction of voting papers; but they arrived at the conclusion that a University stood upon different grounds from other constituencies, and that what might be very bad for other constituencies might be very good for a University. They made a recommendation to that effect, which was adopted by the House; but in order that it might not be drawn into a precedent, they passed a Resolution in which they based their recommendation upon the fact that the franchise of the University was essentially a non-resident franchise for the electors. The right hon. Gentleman who now filled the Chair took up the question and brought in a Bill, but it embodied the vicious principle of making a voter give his vote through the intervention of another voter. In a Committee of the Whole House a strong feeling declared itself against this vicious principle, and the right hon. Gentleman, now the Secretary of State for India, joined in the protest. All the anticipations of the evil consequences of the Act had been fulfilled by the result, for the voters had thus been brought under influences of the most prejudicial character. That system was adopted by the House entirely on the faith of the fact that it was to be confined to a body of educated gentlemen in very exceptional circumstances as electors, because they did not reside at the place of election, and their position in society rendered it possible to carry out the system. But if it had been proposed to apply it to the mass of the constituencies the House would never have entertained it. It was a remarkable instance of the sagacity of the late Sir George Lewis that in discussing that proposal he said he would not consent to its passing for the Universities, lest, perchance, it should become a precedent for wider legislation. He hoped the House, by rejecting the present proposition, would prevent the fulfilment of Sir George Lewis's prediction. It was said the proposal would be useful to a certain limited class—namely, the sick, the aged, or the absent voters ; but why were they, in order to meet the case of that limited class, not comprising 5 per cent of the whole constituency, to subvert the entire electoral system throughout the country? If the proposal were extended to the whole constituency, instead of being economical it would be a most costly arrangement. During the last twenty or thirty years they had been passing laws for curtailing various excesses for the expenditure of money at elections, where the most simple acts and things were made a fertile source of expense. Even so small a matter as a cockade became an affair of hundreds of pounds at elections, because it opened the door for a lavish outlay of money. If therefore every elector might vote by means of a voting paper, a trade would immediately spring up at every election. There would be recognised agents for collecting the voting papers, and every vote would be the subject of a traffic and barter —not by the voter, but by an agent who would make it his business to go about gathering up the voting papers. Talk of the expense of bringing the voter to the poll! Why, it would be trifling compared to the cost of sending an attorney after the voter to get his voting paper. Indeed, everybody would be employed at large expense in collecting voting papers; and every elector, instead of giving his own vote, would go and obtain somebody else's voting paper. Thus, instead of A and B each going to the poll and giving his vote, A would undertake to get B's vote if his expenses were paid, and B would repeat the process with regard to A. Outside the House payment was regulated by Act of Parliament ; but under this Act expenses would have to be paid to attorneys travelling in a sumptuous electoral manner; and all those charges for loss of time and the like would have to be met upon the scale common at electioneering times. He remembered an agent for the small Devonshire boroughs coming to him and setting forth the advantages which they supplied. He (Mr. Ayrton) did not concur in those representations ; but he was informed, in reply to his protestations, that these matters were consonant with the principle of supply and demand. Hon. Members were acquainted with the class of people who hang about committee-rooms for the purpose of making a harvest at elections; and if this mode of voting were adopted, it would degenerate into such expense as to create the greatest evil of the electoral system. The plan might work very well for clergymen, barristers, and country gentlemen, whose identity might be easily established; but the case was very different when it was proposed to extend the system to householders in general. There still remained the grave objection to the system that it would be the means of introducing the practice of manufacturing votes, which would end in pulling down the whole of the existing electoral system. To avoid giving offence to hon. Gentlemen opposite he would give this illustration of how the principle could work. If the wealthy members of the Reform Club were to form themselves into an association, and were to qualify in a body to be counted by hundreds, as they could do, as electors for every county and division of a county in England, what would be the effect of their voting papers then upon the electoral system of the kingdom? Why, such a wide door would be open to wholesale abuse that the House would have soon to ratrace its steps. He should begin to think that hon. Gentlemen on his side had become the protectors of the British Constitution when he saw such fantastic schemes as that emanating from the Conservative Benches, and he thought the mode in which the proposition was made ought to receive indignant rejection on the part of the House. They were attempting to undermine that which had been practised with success for ages; and they had no guarantee for the safe working of the project embodied in that clause. They were called upon to vote *en masse* every clause in the Act referred to ; he was convinced that if the clauses of that Act were offered *seriatim* for their consideration in connection with the Reform Bill they would not be passed, and inasmuch as the Committee was not properly treated in having such a wholesale proposal thrust before it, he recommended the rejection of the clause. The more he thought of the matter the more he was convinced that the plan was of an impracticable character. With respect to an observation personal to him which had fallen from an hon. Member opposite, asserting that he had not been elected by a proper majority, he replied that he never knew of a case yet in which an unsuccessful candidate was content with the method of the election. His case, however, was easily explained. When it was found that he was 1,500 ahead of his opponent, those voters who would have favoured him saw that all was going on right and accordingly refrained from voting, as was customary under such circumstances. County voters, on the contrary, were in the dark as to how the voting was going and polled out. And inasmuch as voting papers were not needed in the boroughs because polling-booths were numerous, and were not needed in the counties because they already polled out, he saw no reason for subverting a practice which had hitherto worked well.

LORD ELCHO: I had originally no intention of speaking upon this question; but I think I can suggest a mode for arriving at a satisfactory solution of the difficulty. I agree with the hon. Member for Birmingham that this is a most important question, and concur with the hon. and learned Member for Tiverton in expressing a hope that the Committee will not regard it in the light of a party question. I do not think there is much difference of opinion with regard to the principle involved in the question. In giving a wide extension of the franchise we all desire that the newly-enfranchised persons should exercise the privilege conferred upon them; and I have no doubt we would all agree to the clause under discussion if we felt certain that it would largely facilitate the exercise of the franchise without bringing in its train abuses greater than the advantages it conferred. The question of abuse, however, turns entirely on the machinery employed, and the question arises as to whether the machinery provided by the University Act is such as to guard against abuse. The hon. and learned Member for the Tower Hamlets has said that the Act establishing voting papers in the case of the Universities resulted from an inquiry before a Committee which dealt with the question exceptionally and provided exceptional means for meeting a special case; now it so happens that there is a Committee of this House at the present time considering the Bill for preventing corrupt practices at elections, and I would suggest, instead of our coming to a final decision upon this clause to-night, to allow it to be negatived on the understanding that the clause and the Act providing the machinery should be referred to the Committee on the Bill for preventing corrupt practices at elections. If the question is pressed to a division I shall give my vote with the Government. [*Ironical cheers.*] I can see nothing deserving of any ironical cheers in what I have said. Having listened candidly to the debate, I think, upon the whole, that the arguments are rather in favour of the Government proposal, and therefore, if pressed to give my vote, I shall give it with the Government; but, at the same time, I do not think the case strong enough to justify me in voting with the Government if I have an alternative, and the only alternative I can think of is that I have suggested. If my suggestion is accepted it will be for the House, when the Committee have reported, to decide finally on the bringing up of the Report whether a clause should be inserted in the Bill to give effect to the proposal now under consideration.

MR. NEWDEGATE said, he considered that the franchise being a public trust ought to be exercised by the electors in the face of their countrymen, as the fact of electors abstaining from the vote virtually placed non-electors in a position of suffrage. A vote given in private was given as if it were the private property of the elector and not as the exercise of a function in the nature of a trust. He therefore objected to the proposition now under consideration. He remembered a warning given by the late Sir James Graham that if the principle of secret voting were adopted it would be followed by a claim for universal suffrage. He felt the temptation, which every county Member must feel, offered by a proposal which was likely to diminish the expenses of elections, but its adoption on the ground of mere personal convenience would, he thought, be a boon secured at the expense of vitiating our entire electoral system.

MR. WYLD said, he would support the proposition of the Government, believing it would have the effect, to a great extent, of doing away with bribery and intimidation at elections. They were about to extend the franchise to a large body of working classes, and he thought this proposition, if carried, would confer upon them a great benefit.

THE CHANCELLOR OF THE EXCHEQUER: I wish to make a few observations on this clause before the Committee comes to a decision upon it. I have listened to this discussion with great interest, but it seems to me that a very erroneous view has been taken by some hon. Members of the proposition under our notice. The hon. Member for Finsbury, who addressed us in a very effective speech, has, I think, greatly misapprehended the circumstances with which we have to deal. The hon. Member for the Tower Hamlets, too, has argued the case as if we were inviting the Committee to introduce some violent change into the constituencies of this country. I must, however, remind the Committee that the circumstances to which the hon. Member for Finsbury referred do not apply to the proposition of the Government. On the contrary, the conditions under which the franchise is to be exercised under the operation of this clause are quite the reverse of those to which the hon. Member for Finsbury referred as drawn from his experience of the Poor Law. Our conditions and safeguards have, in fact, been devised and adopted from our experience of the practice of voting papers under the Poor Law. I do not therefore believe in the occurrence of evils such as those to which he has called our attention. The hon. Member for the Tower Hamlets, I may add, has treated this as if it were a compulsory clause, though I can scarcely suppose that a Gentleman so well informed could for a moment make a mistake as to its real nature. The whole of his argument tended to show that we were about to introduce some violent change into the constituencies. That, however, I would beg to remind him, is purely a permissive clause. Like all permissive legislation, it will, I have no doubt, exercise a moderate influence; but then, I think, the great mass of the constituencies will be prompted, as Englishmen always have been, to exercise a public trust of which they are proud in the eye of their neighbours. There are, at the same time, many persons upon whom the franchise devolves under the existing system, and upon whom it will devolve under this Bill, who may with advantage avail themselves of the privileges which this clause would confer. The hon. Member for Finsbury seems altogether to have misconceived the character of our proposal. He looks upon it as a retrograde proposition. He has been at the trouble to father it on my noble Friend whose services in the Cabinet we all regret to have lost some months ago. The hon. Gentleman has even expressed his surprise that after the unfortunate secession of my noble Friend from our ranks we should still adhere to such a scheme. The noble Lord, however, very properly reminded the Committee that this proposition was first made in 1859, when he was not a Member of the Government, and had only for a very short time been a Member of the House. It was then introduced, not as a leading proposition, but as one of a tentative character, in deference to the opinion of many enlightened speculators—not Members of this House, though some of them have since become Members—but to whose opinion society very much deferred: their opinion being that this was a mode by which purer and more effective representation could be obtained. Under these circumstances, we were of opinion in 1859 that a clause of this nature should be inserted in our Bill. Has anything since occurred which should cause us to shrink from repeating the experiment? On the contrary, the House of Commons has in the interval adopted and applied this principle in a very memorable instance. A Bill was brought forward by a distinguished Member of the Liberal party—the Gentleman who sits in the Chair on this Committee—and was supported by very eminent Members of that party. The success of that measure has, I believe, been not only satisfactory, but complete. Under these circumstances, there is nothing remarkable, I think, in the fact that we have deemed it right to include a similar proposal in the present Bill. I admit with the hon. and learned Member for Richmond, that there is a great deal to be said on both sides of this question. The point, however, is on which side does the preponderance of advantage lie, and, in my opinion, the great preponderance rests with the permissive exercise of the right conceded by this clause. I confess, for my own part—I may, no doubt, be influenced by selfish considerations—that I have always thought a great benefit would accrue to the representatives of counties from the adoption of such a proposal. It would very effectually deal with an immense expenditure which cannot by any misrepresentation be placed under the head of corruption. It would, it appears to me, be a great advantage, seeing the great cost of county elections, as proved by recent Returns, that they are in general as pure as popular elections can be expected to be, and bearing in mind also that the constituencies are about to be greatly increased, that we should sanction some proposition such as that under our consideration. I confess, for my own part, that if I had simply followed my individual feeling in the matter, I should have been disposed to confine the operation of the clause to counties. If, however, the proposition had been introduced in that way, it would have been looked upon as but a partial application of our principle. It would be said that we had some sinister object in view for the purpose of benefiting the counties, and we should be asked why it was that we did not admit the boroughs to the advantages of this new scheme. We, under those circumstances, deemed it the wisest and best course to pursue to place the proposition absolutely before the Committee, and to let them deal with it as they thought fit. If, upon the whole, they were of opinion that the scheme should be only partially adopted, then it could be modified; or they might entirely reject, or the reverse, as appeared to them to be the wisest course to pursue. My own opinion is that the system of voting papers would be found to operate very beneficially in reducing the expenditure at county elections, and, though the hon. and learned Member for the Tower Hamlets gave us a very lively description of the disadvantages which would arise from its adoption, they are, I cannot help thinking, like many other descriptions for which practical men of the world know there is, in reality, no foundation. The county Member who finds that he has spent £4,000 or £5,000 in bringing voters up to the poll is well aware that if he employs a few attorneys, he may, with the aid of these voting papers, set down those thousands as represented by hundreds. I may say it would be the best security for purity of elections. That is my answer to the hon. Gentleman. I now come to the question of corruption, with respect to which the cases have been stated somewhat in extremes on both sides of the House; and certainly the Reform Club, whose riches have been announced to us to-night in an almost menacing tone, may be able to purchase all the county constituencies of the country. I have often heard those stories of the accumulated treasures of political societies, but my impression is this, that whatever club, be it the Reform, or any other lays out its funds in this way, will find in the end that it has wasted its money. The only persons benefited are the attorneys employed by both sides. One club would be sure to emulate another in the sanguinary and disastrous contest, and there can be no doubt that it would very soon cease. But there are other reasons why it would be well that we should calmly consider whether some important benefits may not be derived from the adoption of this proposal. We have to a great extent reduced to the lowest point the time that is allowed for polling a large constituency, and by that I mean now a large county constituency. It is not very difficult with a capital organization, and with the population of a great town, consolidated as it were together, to poll many thousand voters in six or eight hours; but it is a very difficult thing to effect this in a county, and at the present day, far from supposing that the county constituencies are exhausted on the day of polling, as the hon. and learned Member for the Tower Hamlets has argued, if he looks into the statistics he will find it quite the reverse. There may be numbers unpolled in a metropolitan constituency, but the cause he has explained, and as he has had considerable experience in heading the poll, I have no doubt he speaks with special knowledge of the subject. But in county contests, which are fought with more equal fortunes, there is an impossibility of fairly polling the constituency. It is almost impossible for any elector who has more than one or two qualifications to exercise his franchise under the present system. The hon. and learned Member for Richmond has seventeen votes, but I must say he is a remarkable man. I am sure that I never saw in the flesh before a man who really had seventeen votes, and I can easily understand that at a general election the hon. and learned Member would feel greatly embarrassed. But a great many of us who have not seventeen votes would wish to exercise the franchise; and even a person with seventeen votes ought, I maintain, to be secured by the law of his country in the right of bestowing them. These seventeen votes are the representatives of his property in seventeen localities, and it is right that his property should have its due influence. Now, it is well known that a great hardship is felt in the county constituencies, because it is utterly impossible for a gentleman to record his votes in more than one or two counties, and that is a state of affairs which should not be permitted to continue if a remedy can be provided. I cannot but believe the principle of this clause to be sound. That principle was first proclaimed and developed in the writings of political philosophers. It was adopted in this House for a practical purpose and it has been applied with success. I think myself that its application on a much wider scale would be of great public benefit. If any Gentleman opposite proposed any modification of the clause which respected its principle, if he proposed to apply it in a limited manner, say to counties, I should be perfectly ready to adopt that modification. If it be proposed to confine the measure to counties and out-voters, I shall be satisfied to adopt such a suggestion. But I hold that the principle is founded upon truth and justice; I believe that by the public mind of this country it has been received with favour, and that, too, after due thought and reflection, and I trust, therefore, that the Committee will not by its vote to-night terminate at its commencement what I hope may be considered a very great improvement in the exercise of the electoral rights of the people.

MR. BRIGHT: I think the right hon. Gentleman has concluded his speech with perfect fairness, and left the decision to the House in a way worthy of the position he occupies. The debate has been one of considerable satisfaction to me, because, however evil I may think the proposition is as it now stands, I cannot conceal from myself the fact that the arguments both on this and on that side of the House lead us a great deal further than this proposition, and should end after this wide extension of the suffrage in a change which in almost every other country has long ago been made—namely, in establishing the vote by ballot. Now, Sir, there are two divisions of this question, and to one of them the right hon. Gentleman has applied himself; and other Members also touched upon the same—that is, with regard to out-voters. I believe if we were establishing a system of representation for the first time, we should do in counties what we do in boroughs—we should take care that all the electors of the counties should be resident in the counties. A different system prevails, and I do not recommend that it should be interfered with; but I suggest that you should not, for the purpose of extending the present system of non-resident voters, make a great change for which no substantial and sufficient reason has been given. The hon. and learned Member for the Tower Hamlets has made a speech, which I think one of the most conclusive that I ever heard delivered in this House on any question. He referred to what might be done by certain persons at certain clubs. The Reform Club is very near the Carlton. If a man wants to go to one he is now driven, not invariably, but occasionally, to the other. What the hon. Gentleman says might be done at the Reform Club might also be done at the Carlton. But what has been done? Take the case of a small Scotch county in which there was a contest at the last election. Every Scotch Member will know to what I refer. The losing candidate had a decided majority of the resident voters in the county, and yet he did not take his seat in this House through the influence of non-resident voters—strangers whose votes might be called into question as contrary, if not to the letter, to the spirit of the law. These voters overruled the votes of the resident constituency, and the candidate who had the majority of the resident votes was defeated, and his opponent is, I presume, at this moment sitting somewhere in this House. ["Name!"] Let any Gentleman who wants to know the name ask the Scotch Member that sits nearest him. Now, this House is, I believe, in hopes that the discussions of this Session, and the passing of this Bill, will lead to a more satisfactory representation of the country. I therefore hope that there is no Member of the House who would wish to see the system I have just described indefinitely extended. And I am not speaking as against the influence of landed proprietors alone; there are other influences that can play this game. I recollect some years ago, during the agitation for the repeal of the Corn Laws, that the friends of the Anti-Corn Law League resolved to purchase freeholds in some counties, and threatened to change the representation of those counties. In a case like that it would be a great bar to such a movement, that every voter, at the time of an election, should travel to the county where his freehold was situate. It is not the true policy of the country—it is contrary to the interests of the country—it is opposed to the purity and reality of our electoral system, that you should give even to an eminent lawyer like the hon. and learned Gentleman on the front Bench, or to any landlord or club, any greater inducement than now exists, to obtain votes in counties where people do not reside, for the purpose of interfering with the real and honest representation of the residents of the county. There are many small counties—some in England, some in Wales, and several in Scotland, in which there will be no difficulty, under this system, of placing as many persons on the register as would utterly defeat the honest rights of the electors of those counties. The right hon. Gentleman dwelt on the success of the system as tried in the Universities; and some Gentlemen smiled because they thought he meant —what I am sure he did not mean— that it had proved successful because it dislodged the recent Member for the University of Oxford. But that is a small matter; and if England were appealed to, England would say that it is of great advantage to the country that that dislodgment has taken place. But while the right hon. Gentleman defends the measure on account of its success at Oxford University, the right hon. Baronet the Member for Droitwich admitted, with the frankness I have often seen him exhibit in the House, that the cases were so entirely different that he would not base his argument in favour of the Bill on anything that had happened, or could happen, in connection with the learned Universities of the country. The Committee on which the hon. and learned Member for the Tower Hamlets sat, had the whole of the matter before it; and that Committee saw a wide difference between the circumstances of the Universities and of the great constituencies of the country; and they entirely—I know not if they were unanimous—rejected the proposition in regard to the country at large, and decided on special grounds that the plan might only be safely adopted in regard to the Universities. I now pass to the other branch of the subject, to the general effect of this measure. My own belief is that its general effect will be bad. It seems to me that it will not have the good effect—and I have never denied that there is some good in the system—of open voting. It escapes from that which you have always claimed as the great advantage of open voting, that is the general publicity and influence of public opinion, and what you call the salutary effect of a man performing a great public duty and object in the face of his fellow men. It is clear that the whole of that is got rid of by his system. It is clearly got rid of so far as this system will work. The right hon. Gentleman calls this a permissive clause. Of course, to individuals it is permissive, but with reference to the whole country it can hardly be so styled. Wherever, being permissive, it is employed, it will entirely secure the voter from that public opinion under which every man in some degree acts when he goes to the poll and gives his vote in the face of his fellow electors and townsmen. On the other hand, I complain of it very much, on this ground — that altogether it shelters him from public opinion, yet it does not in the least give him the advantages of real and secret voting. ["Oh!"] The advantages of the really secret vote are these — you may estimate them at less than I do, but I think they are these—a man when he votes knows there is no power on earth to interfere with him but his own conviction as to what he ought to do, and he has a perfect freedom to carry out those convictions in his vote. Now, a proposition which is so great a change that it repudiates all that which you have said is good in the open voting, and does not accept a single particle of what we have said belongs to secret voting, at least is not a proposition which should be accepted hastily by the House. The right hon. Gentleman, following the example of many hon. Members, dwelt upon the expenses of county elections. I think those expenses are most deplorable, and in many cases are hardly a tolerable burden. I was speaking to a Gentleman in this House the other day who said he was a candidate for ten days for a county which is neither very large nor very populous, and in these ten days his expenses were £4,000. I know another candidate—I think I am not mis-stating the facts—who polled 2,000 votes, and they cost him £8,000. But that expenditure is by no means all connected with the carriage of voters, a very large portion is connected with that hateful and intolerable system of legal agency, which is, I believe, all but universal in the counties, and which unfortunately prevails to a very large extent in a great number of boroughs. But there cannot be the smallest doubt that it is possible to cure that evil without adopting the remedy proposed in the clause. I do not say you will cure the expenses with regard to non-resident voters, who have a long way to come, but with regard to the resident voters of a county, you might establish—and establish cheaply—polling-booths in so many districts that no man will have to go further than he has to go every week to market, and very often he would have to go no further than he goes on Sunday to Church. The noble Lord the Member for Stamford (Viscount Cranborne), who made as good a speech to-night as could be made in favour of this clause, spoke of persons who could not get to the poll—rich people and nervous people. I am not speaking of the sick, because we ought not to make special laws for a comparatively small portion of the people, and those who are sick are much better at their homes and in bed, than taking any part whatever in the excitement of a contested election at a time when they are suffering mental and bodily depression. The noble Lord said there are many electors who do not go to the poll at all. I think he is entirely mistaken. I have had several contests in the course of my political career. Two contests in the city of Durham, two or three in the city of Manchester, and one at least in the town of Birmingham. I do not believe that any appreciable number—I cannot say that I ever heard of ten, not even five, in the whole of these three constituencies, who could not go to the poll for any of the reasons stated by the noble Lord. There is not the slightest doubt his argument does not apply to the metropolitan boroughs, because if there are any boroughs which are free from confusion and riot at election times, it is those boroughs. Therefore, I hold that as regards that there is nothing in it. But there is this in it. The noble Lord appears to be wishful—I will not impute that, but I will say that it will be understood that he would establish a system which would very nearly give the security of the ballot to the rich people, and that it is for them that this system is mainly devised. I must leave hon. Gentlemen opposite to imagine that if once an idea established itself in the public mind that that was the object of the measure, how long would it be before the ballot itself was demanded and obtained for all other classes. Now as regards the poorer electors. My hon. and learned Friend (Mr. Ayrton) described what would take place with agents. There is a wonderful fertility of invention at election times—and clever agents would busy themselves in the streets of our boroughs, and in some parts of the counties, with a view of obtaining these polling papers. And what happens when they have been signed and sent in? Why, you establish one of the most hateful and most unheard of things that can be imagined, which is the giving of votes by proxy. I understand that lately there has been a discussion in "another place" on the subject of voting by proxy—and there is a general impression that that system—which no man defends upon any principle—will not last long. Therefore, I hope the House of Commons will not now attempt to establish in any shape anything so unprincipled and hateful with regard to our Parliamentary elections as this would prove to be. If the proposal contained in this measure were to be adopted, when any person has received a number of voting papers from any borough or part of a county, it is quite clear that he can either poll them or not, as he thinks fit. He can hold them back, or make a traffic of them. They are not exactly bank notes; but as he holds them in his hand, he may traffic with them as if they were bank notes. Now, I think it—

> "Better to bear the ills we have
> Than fly to others that we know not of."

I think the noble Lord, or, at all events, some hon. Members, have spoken of the character of magistrates. I am not a magistrate myself, and I should be sorry to depreciate or lower their character in this House or in the country; but there is nothing that stands, as I can see, between the present system of voting for Poor Law Guardians and the system proposed by this clause but the magistrates. The magistrates are not infallible. I have known many magistrates who were not at all too acute to be taken in—and I think the security is not sufficient to justify the House in making the great change proposed. The noble Lord made another observation, which was a very unfortunate one for him to make; and, indeed, I am greatly surprised that it should have escaped his lips. He went so far as to say that the drawing-room of the magistrate would be the place of the polling-booth. If I am not very much mistaken in the opinion of my countrymen, I think that observation will sink very deep into their minds and hearts, and if they thought such a thing were possible—and we have the authority of the noble Lord that it is possible, and that he admires it—I say that is enough to condemn the Bill. The question is this—whether our whole system of polling should be changed to what is right, or whether it should be a general system of voting through the Post Office. My own impression is, that every man who gives a vote should appear before the recognised authority by whom that vote should be recorded—whether he give it openly, by saying, "I am So-and-so, and I have voted for A., B., C., or D.," or whether he should vote as Englishmen do in the Australian colonies, by depositing a card or ticket in the ballot-box. [" Oh, oh!" and *cheers.*] I saw one hon. Member anticipating what I was going to say by the radiant smile which came over his countenance. But I am not now asking for the ballot. What I say is this. I prefer what now exists to what you propose. Either let us have the open voting which we have, and which we all understand, and which we have had from time immemorial, so that we understand the good and evil of it, or let us go to that more excellent way of polling by the ballot. At least, do not let us make a change, the results of which would, in my opinion, lead to very great danger to the free and uncorrupt exercise of the franchise throughout the country. The hon. Gentleman the Member for Middlesex has to-night made a curious speech, and he treated very lightly the argument which had been used, that if a man had given his voting paper seven days before an election in the county, and three days before in the borough, that he should not be at liberty to change his mind. No doubt in the borough the elector might attempt to outwit his proxy, by being at the poll when it opened at eight o'clock in the morning, and then it would be a scuffle between him and his proxy as to the vote to be given; but, generally speaking, there are many persons who honestly change their minds between the time when the election is proclaimed and the time that it takes place. [" Oh!"] Hon. Members opposite do not appear to believe that there is any honest change of opinion. I differ from them very much, and if Members of the House of Commons in great numbers can change their opinions at once on a question, there can be no doubt whatever that electors are equally open to proper arguments. Take a case. Between the time when an election is proclaimed and the day fixed for the polling a new candidate very often comes into the field. Then there is often something found out about a candidate in the field which makes him unpopular with the constituency; or some person comes into the field, and by a speech of great power affects the votes of many electors. Yet by this system a man may have within seven days of the election in the county, and three days of the election in the borough, signed this fatal voting paper; he is committed to it, and he is not even open to the discussion for which I understand your hustings are erected and maintained. I say hon. Gentlemen opposite by their ancient principles ought not to support this proposition; and I think that the Chancellor of the Exchequer concluded his speech in a tone which showed that the Government would receive with no great dissatisfaction the decision of an adverse majority. I hope the House will take him at his word, and relieve the Government of the responsibility of the clause altogether. Hon. Gentlemen opposite have often said that they do not like anything un-English. I shall not use that phrase, although if I were to reiterate it I might say with great force that hardly anything can be more un-English than a system of this kind, which is to be permissive. Some have argued in favour of the permissive ballot. I must say that I have always been opposed to the permissive ballot. Let a question of this kind work in the public and Parliamentary mind, and do not change until you are determined to do the thing honestly and well. Then let it be made legal and imperative, and do not let us have anything like permissive action on a great and solemn question like this. The noble Lord below me (Lord Elcho) made a suggestion to the right hon. Gentleman—and I should be very glad to see the clause negatived, and I should not be opposed at any future time to the appointment of a Committee to consider the whole question of our electoral system. There are many alterations which might be made in that system, and to which I think the House might agree with very great advantage. At present, however, it seems to me quite clear and beyond all doubt, that in this Bill we ought not, and I believe we shall not, insert a clause which will make this great change, with reference to which there has been no inquiry except that in 1860, which inquiry resulted in an emphatic condemnation of the system. I say that the country has not asked for this. The right hon. Gentleman says he thinks that it will be received with very great favour. He is so fond of his own children that he supposes everybody will admire the political offspring he introduces into this House. But I think I have met a good many persons during the past four or five months who know something about Reform, and I declare that I never met with a single person outside this House who did not speak of this proposal—I am afraid to use the term, because I do not wish to deny that the clause has been very fairly introduced—but they have spoken of the proposition with contempt; and I believe if it were adopted, it would be received with amazement and consternation by the electoral body throughout the country. Now, Sir, I shall say no more. I said that the right hon. Gentleman has argued the question fairly from his point of view, and has put it before the Committee in a manner that became him. The matter is one of very grave importance; and hon. Members must bear in mind that if they reject this clause the only result will be, that the question will stand where it is, and it will be open to the Government, or to any Member of the House who differs from me, to propose, either this Session or next Session, a Select Committee to inquire into the whole question. In conclusion, therefore, I beg the Committee not to commit itself to a thing which nobody asks for, which is entirely novel with regard to the great constituencies of the country, and which I oppose from no party view whatsoever—[*Cries of* "Oh, oh!"]—for I do not think there has been a single argument or fact used to-night to show that it would be advantageous to hon. Gentlemen opposite more than it would be to this side of the House; therefore I declare solemnly I have no feeling of that kind; but I believe the clause would introduce a very evil system into what is now, in some respects, very good; and therefore I entreat the House to reject the clause which the right hon. Gentleman has submitted to them.

LORD HENRY SCOTT said, he would not detain the Committee many minutes. He would not enter into the question which had been already amply debated; but he rose to call attention to a remark which had been made by the hon. Member for Birmingham. That hon. Gentleman had thought proper to make some observations relative to the Scotch county which he had the honour to represent, of which he felt bound to take some notice. On this occasion, and also last year, the hon. Gentleman had said that he was returned entirely by non-resident voters who had been created by a certain nobleman, whose name would be well understood. Now, that was not the case. It was perfectly true that a large number of non-resident voters had assisted in his return; but it was not the fact that they alone returned him or that they were created by the nobleman referred to. All who knew the county knew that it was a very small constituency; it had become an arena for keen political contest; many gentlemen in the neighbouring counties had taken an interest in it, and had come forward and by *bonâ fide* votes supported him. He could therefore only suppose that that was owing to the interest they took in the cause rather than to any of a personal nature. He was quite sure the House would excuse him for offering these few remarks in answer to the hon. Member for Birmingham, and he hoped in future the hon. Gentleman would not think it incumbent upon him to take up the grievances of every rejected candidate.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 234; Noes 272: Majority 38.

AYES.

Adderley, rt. hn. C. B.
Annesley, hn. Col. H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Baillie, rt. hon. H. J.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, W. W. B.
Beaumont, W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Bernard, hn. Col. H. B.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bowen, J. B.
Brett, W. B.
Bridges, Sir B. W.
Brooks, R.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chatterton, rt. hn. H. E.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Lord
Cranborne, Viscount
Cubitt, G.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Doulton, F.
Du Cane, C.
Duncombe, hon. Col.
Dunne, General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, Sir P. G.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fergusson, Sir J.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Graves, S. R.
Gray, Lieut.-Colonel
Greenall, G.
Greene, E.

Griffith, C. D.
Grosvenor, Earl
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, rt.hn.LordC.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henniker-Major, hn. J. M.
Herbert, hon. Col. P.
Hervey, Lord A. H. C.
Hesketh, Sir C. G.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Hunt, G. W.
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kekewich, S. T.
Kendall, N.
Knightley, Sir R.
Knox, Colonel
Labouchere, H.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lanyon, C.
Lascelles, hon. E. W.
Lechmere, Sir E. A. H.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Colonel R. L.
Lopes, Sir M.
Lowther, Captain
Lowther, J.
M'Lagan, P.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Meller, Colonel
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Neill, E.
Packe, C. W.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Peel, rt. hon. General
Percy, Majr.-Gn. Ld. H.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwyn, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Stanhope, J. B.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Sturt, H. G.
Sturt, Lt.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Talbot, C. R. M.
Thynne, Lord H. F.
Torrens, R.
Tottenham, Lt-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hn. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wynn, Sir W. W.
Wynn, C. W. W.
Yorke, J. R.

TELLERS.
Taylor, Colonel T. E.
Whitmore, H.

NOES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barron, Sir. H. W.
Barrow, W. H.
Barry, A. H. S.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph Colonel R. M.
Biddulph, M.
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brady, J.
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Butler, C. S.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Castlerosse, Viscount
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clive, G.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowen, J.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Dalglish, R.
Davey, R.
Denman, hon. G.
Dent, J. D.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dunkellin, Lord
Dunlop, A. C. S. M.
Edwards, C.
Edwards, H.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, rt. hon. Lord O. A.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C. S.
Fortescue, hon. D. F.
Foster, W. O.
Gaselee, Serjeant S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hayter, Captain A. D.
Headlam, rt. hn. T. E.
Henderson, J.
Henley, rt. hon. J. W.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.

Hughes, T.
Hurst, R. H.
Hutt, rt. hn. Sir W.
Ingham, R.
James, E.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
MacEvoy, E.
M‘Kenna, J. N.
Mackie, J.
M‘Laren, D.
Maguire, J. F.
Marjoribanks, Sir D. C.
Martin, C. W.
Martin, P. W.
Milbank, F. A.
Mill, J. S.
Miller, W.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Neate, C.
Newdegate, C. N.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Conor Don, The
Oliphant, L.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Owen, Sir H. O.
Padmore, R.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Price, R. G.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scholefield, W.
Scott, Sir W.
Seely, C.
Seymour, H. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sykes, Col. W. H.
Synan, E. J.
Taylor, P. A.
Tite, W.
Tomline, G.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vanderbyl, P.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waring, C.
Warner, E.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
White, hon. Captain C.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Wyvill, M.
Young, R.

TELLERS.
Torrens, W. T. M‘C.
Otway, J. A.

House *resumed.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

PARIS EXHIBITION.

Select Committee *appointed,* "to consider and report on the advisability of making purchases from the Paris Exhibition for the benefit of the Schools of Science and Art in the United Kingdom, and any other means of making that Exhibition useful to the manufacturing industry of Great Britain and Ireland."—(*Mr. Layard.*)

And, on June 21, Select Committee *nominated* as follows:—Lord Elcho, Lord Robert Montagu, Mr. Childers, Mr. Hunt, Mr. Cavendish Bentinck, Mr. Gregory, Mr. Bruce, Mr. Locke, Mr. Beresford Hope, Mr. Henry Seymour, Sir Philip Egerton, Mr. Otway, Mr. William Cowper, Colonel Hogg, Mr. Ayrton, and Mr. Layard;—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, June 21, 1867.

MINUTES.]—Public Bills—*First Reading*—Local Government Supplemental (No. 3)* (166); Local Government Supplemental (No. 4)* (167); Salmon Fishery (Ireland) Act Amendment* (168).

Committee—Houses of Parliament* (136); National Gallery Enlargement* (150); Pier and Harbour Order Confirmation (No. 3)* (161).

Report—County Courts Acts Amendment* (169); National Gallery Enlargement* (150); Houses of Parliament* (136).

Third Reading—Increase of the Episcopate (129); Bunhill Fields Burial Ground* (105); Local Government Supplemental (No. 2)* (119), and *passed.*

GRAND DUCHY OF LUXEMBURG—THE RECENT DEBATE.—EXPLANATIONS.

Lord HOUGHTON said, the debate of last evening had placed the question of the responsibility which had been incurred by this country by the treaty relative to the Duchy of Luxemburg in an eminently unsatisfactory position, on account of the contradictions in the statements of the noble Earl at the head of the Government, and of the noble Lord the Secretary of State for Foreign Affairs; and therefore he should take the liberty, on Tuesday next, of asking the First Lord of the Treasury what sense and what construction Her Majesty's Government placed upon the words "collective guarantee" in the second article of the treaty.

The Earl of DERBY: I am somewhat surprised at the notice of the noble Lord. I stated last evening the interpretation which we put upon the treaty, and I have nothing further to add. Of course, if the noble Lord wishes to make a Motion on the subject, he is quite at liberty to do so.

Lord HOUGHTON said, the spirit of the language used by the noble Earl at the head of the Government and that used by the noble Lord the Secretary for Foreign Affairs was so contradictory that he should bring the subject again under the attention of their Lordships.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.—QUESTIONS.

Viscount STRATFORD DE REDCLIFFE rose to call the attention of their Lordships to the case of the English subjects captive in Abyssinia, with the view of asking some Questions on the subject. The matter had been brought under the notice of the House last Session, but since then the condition of the unfortunate captives had remained unchanged. It was not his intention to go into the past circumstances of the case, or to enter into the question as to what was the original cause of the calamity which had overtaken these unfortunate persons, and whether any fault was attributable to Her Majesty's Government. It was enough for him to consider that these persons who were envoys from Her Majesty, bearing a letter in her own handwriting, and who had been sent out under the express authority of the Government to effect the liberation of the prisoners, were still captives. To show their Lordships what was the deplorable condition of these unfortunate persons, he would read an extract from a work recently published by Dr. Beke. He said—

> "Captain Cameron, Her Britannic Majesty's Consul in Abyssinia, two missionaries of the London Society for Promoting Christianity among the Jews, and several other British subjects and persons connected with British missionary societies—men, women, and children—have been for three years the captives of Theodore, Emperor of Abyssinia. Her Majesty's representative and several of these captives have further been subjected to the greatest indignities, and even to cruel torture, and they have long remained in prison, chained hand and foot, herded together with the lowest criminals; while, to add to the difficulties and disgrace of all parties concerned, Mr. Rassam, the envoy sent by the Government of this country, with a letter signed by Her Majesty's own hand, with a view to effect the liberation of the unfortunate persons who have so long lingered in captivity, has himself been thrown into prison, together with the members of his suite."

He could not consider any subject better calculated to rouse the spirit of the people of England. That a number of English subjects should be at the mercy and caprice of a person like this Emperor of Abyssinia came home to our English feelings with a force that could hardly be exaggerated. Not only was our common humanity interested in this case, but our national honour and dignity were also at stake. There was a time when it used to be said that England, if she did no right to other nations, would suffer no wrong to be done to herself; and no doubt the epigram expressed pretty accurately the spirit of our policy at that time; but now the case seemed to be reversed, for at no previous period had so much sensitiveness been displayed with regard to the rights of other nations, and so much solicitude displayed to abstain from anything that could give them offence. He should be exceedingly sorry in any way to be the medium of placing this country in danger of war; but there were certain plain duties inseparable from our position among nations which could not be abandoned, without incurring even greater risk of the danger so justly feared. If upon repeated occasions we exhibited a want of sensibility to that which our interest or our honour required, we should soon discover by fresh insults offered to us that no nation can afford to brook indignities, and we might some day be called on to vindicate our honour at vastly greater cost. He therefore begged to ask the noble Earl at the head of the Government, What were the number, quality, and condition of the British captives in Abyssinia at the period of the latest reliable information received respecting them by Her Majesty's Government; what steps, if any, had been taken for their liberation since the close of the last Session of Parliament; was it in the contemplation of Her Majesty's Government to adopt any further measure for that purpose either alone or in concert with any other Government; and, was it the intention of Her Majesty's Government to present any additional correspondence on the subject of our relations with King Theodore to the two Houses of Parliament?

The Earl of DERBY said, that on receipt of intimation as to the question which his noble Friend (Viscount Stratford de Redcliffe) proposed to put, he had thought it his duty to ask what further information, if any, had been received at the Foreign Office, with a view of enabling him to answer those Questions specifically.

The subject was one of very deep and painful interest, and he wished it were in his power to give any assurance that the steps which had been taken were likely to lead to any satisfactory result. He was sorry to say that, according to the latest accounts, the captives remained in the same state; and, although there was no reason to believe that they were treated with any fresh or extraordinary cruelties, they were still retained in imprisonment. In answer to the first Question put by his noble Friend as to the number, quality, and condition of the prisoners, he had to state that the number reported to Mr. Rassam on the 4th of April, 1866, as being in confinement, consisted of Consul Cameron, two Missionaries, Mr. Rassam and his suite, and several others, amounting in all to eighteen persons. In the autumn of last year intelligence was transmitted to this country that King Theodore had liberated the whole of the captives, and that they were placed at the disposal of Mr. Rassam; but, notwithstanding that this statement was made in a letter to the Queen, he not only failed to release the prisoners, but detained Mr. Rassam and his suite, which included two or three gentlemen of the Indian service as well. On receiving the assurance of the Emperor that the captives would be released, a number of presents had been sent out in accordance with his desire, together with a number of English artizans who were willing to go into Abyssinia to render their services on certain public works. But, when it was found that Mr. Rassam and the other gentlemen were detained, notwithstanding the assurance of King Theodore, instructions were given to Her Majesty's representative to take charge of the presents and not to permit the artizans to proceed further than Massowah, and on no account to give up one or the other except on the actual release of the captives, there being reason to believe that the object of the Emperor was to get possession of the presents and workmen and still to retain the captives in his own hands. It was known that the letter written by the Queen to King Theodore had been received; but no official reply had yet been received, consequently the presents had all been detained, and the artizans had returned, having abandoned the idea of going to Abyssinia. The Secretary of State for Foreign Affairs had thought it proper to write to the Emperor in the name of the Queen requiring that the captives should forthwith be given up, and informing him that if, within three months, they had not all left Abyssinia the presents would be returned to England. To that last communication no reply had yet been received, and till some further information was obtained, Her Majesty's Government were not prepared to state what course they would pursue. He might, however, state that any course which was adopted would be taken by themselves alone, and not in conjunction with any other Power. The Government would be very willing to lay any further correspondence upon the table; but in whatever course they adopted they must be guided by considerations affecting the safety of the prisoners. It was perfectly well known that nothing passed in the Parliament, or in this country, intelligence of which was not transmitted to King Theodore, and it was at the greatest possible risk that any opinions were expressed, or any discussions held in public, lest these should be conveyed in a shape unfavourable to the prisoners. He trusted their Lordships would therefore forgive him if he did not venture to enter into any further explanation than that which he had already given of the actual state of the relations between King Theodore and Her Majesty.

Viscount STRATFORD DE REDCLIFFE asked whether, at the date of the latest information received, the captives were kept in chains?

The Earl of DERBY said, that sometimes the prisoners were chained and sometimes released; in point of fact, it was impossible to say from month to month, or from week to week, what were the precise circumstances under which they were detained; but, as he had said, there was reason to suppose that their captivity was not attended with any circumstances of rigor or cruelty.

Lord HOUGHTON said, that he had seen a letter received from Consul Cameron, which was written in very bad spirits, and contained this expressive phrase "perhaps the sooner the *mauvais quart d'heure* is over the better."

Earl GRANVILLE repeated the advice which he had offered on the previous evening, that when Motions of an important character, affecting public business, were intended to be brought forward, notice to that effect ought to be given. To the question under discussion he would not add one word beyond the expression of his own satisfaction at hearing from Her Majesty's present Ministers language very nearly similar to that which fell from Her Majesty's late Government.

THE RITUAL COMMISSION— PUBLIC WORSHIP (UNITED CHURCH OF ENGLAND AND IRELAND).

THE COMMISSION OF INQUIRY.

Copy of the Commission of Inquiry laid before the House (pursuant to Address of Thursday last); and to be printed (No. 171).

Earl GRANVILLE proceeded to say that on the previous day he had inquired whether a most rev. Prelate (the Archbishop of York) had declined to serve on the Commission to inquire into Ritualistic Practices, and was referred by the noble Earl opposite to the most rev. Prelate himself, who was not then in his place. Seeing him on the Episcopal Bench he begged to repeat the question.

The Archbishop of YORK: The reason I declined to take any part of the inquiry was, as I have twice explained to the Government, that, after fully considering the matter, I could not but object to the composition of the Commission; but, in saying that, I fear I must trouble your Lordships with a few words of explanation. When I received the proposed list of Commissioners I found myself utterly unable to understand the principle upon which it was framed. There were two modes upon which I conceived a momentous inquiry of this description might be conducted. One of those methods consisted in the appointment of a small Commission of learned and impartial persons likely to command the confidence of the country, who would sit in a capacity somewhat like that of a Court of Law, come to a conclusion upon the evidence given before them, and then give the country advice upon the subject for the future. The Commission, as I read it, certainly did not answer that description, because it seemed to me that it was largely formed of persons who were committed by interest to a view upon the subject. There were gentlemen of very high character and great name who had been placed upon the Commission apparently because they had written or had built churches in connection with this very subject. Therefore, that view of the case I thought the Commission did not satisfy. The other method of inquiring into the subject which presented itself to me was that of forming a kind of small Parliament in which every set of opinions would be fairly represented. I am obliged to say that, tried from that point of view, the Commission appeared to me to fail also. For example, I found the name of one gentleman which could not have been put upon the Commission for any other reason than that he had written ably in defence of what is called ultra-Ritualism. But, then, why was there no name selected out of those who had written ably on the other side, like Mr. Benjamin Shaw? My Lords, I had another reason for declining. There are now pending two causes in Courts of Law, in which all points connected with Ritualism are raised, and there is every probability that these cases will ultimately be brought before the Judicial Committee of the Privy Council, and I shall be bound to serve on the Committee. Several of the counsel engaged in those causes are upon the Commission, but not all. In the St. Alban's case, the leading counsel for the defendant is on the Commission; I do not find the name of the leading counsel for the plaintiff. It seemed to me impossible that a person who was a member of the Privy Council, and anxious properly to fill the office of Judge, could go first into an assembly, such as the proposed Commission would form, and hear the matter discussed by counsel, and then go perfectly unprejudiced into the Chamber of the Privy Council to hear and decide on a case having reference to the very subject on which he may just have been taking part in a warm discussion. After considering the matter, therefore, with most deep and painful anxiety for three days, I came to the conclusion that I had better abstain from serving on such a Commission. I hope that in making these remarks I have said nothing to offend any person. I have found too much difficulty in deciding on my own course, not to feel tolerant towards those who have come to another conclusion. While objecting to the composition of the Commission as a whole for the purposes which it is intended to serve, I cannot help thinking that some of the best and highest names in the country are upon it. I have conversed with many persons upon the subject recently, but nothing I have heard has induced me to change my opinion.

The Archbishop of CANTERBURY: I think it right to point out that this Commission does not meet to decide upon legal questions at all; it does not meet to decide whether such or such vestments are allowed, but whether it is expedient to recommend that legislation should follow their deliberations.

INCREASE OF THE EPISCOPATE BILL.

(No. 129.)—(*The Lord Lyttelton.*)

THIRD READING. BILL PASSED.

Bill read 3ª (according to Order.)

THE EARL OF SHAFTESBURY said, it would have been far better if this Bill had been allowed to pass in the judicious form in which it was presented when first introduced. Had it been so it would have found far more acceptance in the country than it can possibly find now. In order that the Bill might leave their Lordships' House in what he conceived to be a more worthy shape, he would call attention to the clause to which he took the greatest exception. There could be no doubt of the spiritual wants of the people, nor of the necessity which existed for strengthening the agency of the Church in its attempts to cope with it; and he was convinced that unless something more were done to amend existing state of things than was being done at present deplorable results would follow. The exertions of the Bishop of London and those associated with him in connection with his Fund, the efforts of the Church Pastoral Aid Society, and other similar associations were unable to accomplish a tithe of the work which should be accomplished. He admitted to a certain extent the necessity of an additional number of Bishops; but he insisted that the means of supporting that addition must be provided from the bounty and wealth of the laity, and that the spiritual wants of the people should first be attended to by a large addition to the number of clergy who would exert themselves towards regenerating the masses by immediate intercourse. The great parochial necessities and the spiritual destitution of the people of this country were of the first importance. The foundation of three bishoprics, with all their appurtenancies, would cost at least £500,000, and it was provided that as soon as half the sum required had been contributed the remainder should be supplied by the Common Fund. Now, he believed that if — as would scarcely be the case—the necessary amount could be soon raised from the public, the £250,000 which was to be obtained from the Common Fund could be used to much greater advantage in relieving the spiritual, moral, and parochial necessities of the nation. It might be, perhaps, urged that the claim on the Common Fund would be a very remote one; but he objected to it on that account all the more strongly, because it entailed a reversal of the principle which had guided the House of Commons in their management of the Fund — a reversal to which he did not believe that the House of Commons would give their consent. He therefore, being unwilling to send down to the Commons such a proposition, however distant its fulfilment, moved that the words rendering the Common Fund liable should be omitted from the Bill.

An Amendment *moved*, page 5 line 4, to leave out ("until One half of the Amount necessary for the Endowment of such Bishop shall have been otherwise provided.")—(*The Earl of Shaftesbury.*)

THE BISHOP OF OXFORD said, he fully concurred in the remarks of the noble Earl as to the importance of relieving the spiritual destitution of the country. And he believed that one of the greatest national questions for the consideration of the Legislature was how some religious training could be communicated to the vast mass of men who were growing up in our great manufacturing centres without any such training. He differed, however, with the noble Earl on another point, inasmuch as he believed that the retention of the words entailed no reversal of the principle which had been adopted by the House of Commons. When the Episcopal Fund and the Fund for enlarging the small livings were united to form the Common Fund, it was on the distinct understanding that the Common Fund should be liable to all the claims to which theretofore the two Funds were separately liable. The omission of the words, as proposed by the noble Earl, would in effect affirm a new principle that nothing should, under any circumstances, be given out of the Common Fund to the endowment of new bishoprics. If the three bishoprics were founded at the present moment, the only demand made upon the Common Fund would amount to £6,000 a year —a very small sum indeed compared with what had been granted towards the augmentation of small livings. The reason why they desired to see the bishoprics increased was not for the sake of the Bishops who would fill the sees, but because they believed that such an increase would more than anything else tend to strengthen the Church, and add life and vitality to the work in which she was engaged—more, indeed, than if the same amount were devoted to the augmentation of small livings.

Their Lordships had only to turn their attention to the efforts of the Bishop of London to see what could be done by even a single Bishop. The noble Earl had capitalized the amount that would be required, and had stated that the expenditure of such a sum would go far to relieve the whole of the destitution in England and Wales. Now, in that opinion, he could by no means concur, for a sum as large had actually been expended during the past few years in London alone, with scarcely any perceptible effect. He trusted that their Lordships would not consent to strike out the words referred to by the noble Lord, and thus reverse the decision at which they had arrived at a previous stage, unless, indeed, they struck out the whole of the clause, leaving Parliament to deal with the subject as might be thought proper from time to time—a course to which he had no objection.

THE ARCHBISHOP OF YORK said, he fully agreed in the opinion that money bestowed on the foundation of a bishopric was by no means lost. For an example, during the sixteen years in which the most rev. Prelate on his right filled the see of Ripon, he raised for ecclesiastical purposes no less than £600,000. But he objected to the clause in its present form because, while it did not bind the Common Fund to raise the money at present, it involved a hazy claim upon it at some future period. He protested against this mode of treating the question. If the claim were to be satisfied now, it would put a stop to those operations which as yet had been attended by so much benefit to the country; and if the claim were only a future one, it would be better to let the matter be dealt with by Parliament at the proper time. It was only fair to the public, to Parliament, and to those clergymen whose incomes were less than £150 per annum, of whom there were thousands in this country, that the matter should be fairly discussed. He thought that for the present the Common Fund should be left to do its work of justice and mercy, and when the proper time came for increasing the Episcopate, Parliament could be applied to do what was just and right in the matter.

VISCOUNT EVERSLEY stated, that the clause as it now stood would have the effect of directly repealing the present Act, and would deprive the Common Fund of a very large revenue, which would be far better employed in relieving spiritual destitution than in the manner proposed by the clause.

THE EARL OF DERBY said, he should like to see both wants supplied—both that of spiritual destitution and that of an increase in the Episcopate. Now, under the existing arrangements the two Funds had been combined into one, and the united Fund had been made applicable to the two purposes. It was now, for the first time, proposed by the clause as it stood at present to apply the united Fund to one of those purposes to the exclusion of the other. If the clause were omitted altogether the law affecting the Fund would be left as it stood at present—that was to say, the application of the Fund to the one or the other purpose would be left to the discretion of the Ecclesiastical Commissioners; whereas, if it were retained they would have affirmed that funds derived from episcopal estates should in no case be applied to episcopal purposes. That was quite a new principle. The more straightforward course would be to omit the clause altogether; but if that suggestion were not adopted, then he should support the moderate Amendment of the right rev. Prelate. He had had some correspondence with the newly-appointed Bishop of Rochester, who had represented the great inconvenience that arose from the great extent and large population of his diocese, and who stated that, although he had a most desirable residence, yet if the Ecclesiastical Commissioners were empowered to sell that property and to erect two moderate residences, one in the diocese of Rochester and another for the Bishop of the diocese to be carved out of it, he would willingly contribute £1,000 per annum out of the £5,000 per annum he at present received towards the income of the new Bishop. The right rev. Prelate added that he should, on the whole, be better off in the more moderate residence. He gave his hearty assent to the Amendment of the right rev. Prelate, as he was opposed to what he considered to be an unjust restriction of the present powers of the Ecclesiastical Commissioners.

THE EARL OF HARROWBY said, that it would be a breach of the understanding upon which the two Funds were fused if the clause were agreed to. The Episcopal Fund had for many years been indebted to the Common Fund, and it would therefore be very unjust to further charge it for this new purpose before the previous debt was paid. When the Common Fund was reimbursed by the Episcopal Fund the case put by his noble Friend (the Earl of Shaftesbury) might be considered. It would be against the understanding come to when the two Funds were fused to say that the Common Fund should never be chargeable for any increase of episcopal objects; but a specific Bill should be introduced for the purpose. The Amendment was not founded on any theoretical objection.

The Duke of MARLBOROUGH said, it seemed to him that a considerable misapprehension existed on this subject. The observations which had fallen from some of his noble Friends opposite would convey the idea that from the merging of the Episcopal Fund in the Common Fund the purpose for which the Episcopal Fund was especially instituted had been lost sight of; but that was not the case. The proper reading of the Act was this—

> "All the several payments now payable out of the Episcopal and Common Funds respectively shall and may be payable out of the Common Fund."

The word "respectively" governed both. If the Amendment of the noble Earl were carried it would amount to a reversal of the law which had subsisted since 1850.

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Earl GREY remarked that a strong feeling existed as to the necessity of some increase of the Episcopate, but the discussion had shown how great the difficulty was of raising the funds necessary for the purpose. He rose to move to insert a clause in place of Clause 13, which had been struck out on the Report.

An Amendment *moved* at the end of the Bill to add the following clause:—

"And whereas it is expedient that Assistance should be provided for Bishops who may require it for the more effectual Performance of their Duties; be it enacted, That if the Bishop of any Diocese in England or Wales shall Petition Her Majesty to appoint One or more of the Persons holding the Office of Dean, Archdeacon, or Canon Residentiary in his Diocese to be Assistant Bishop of the same, it shall be lawful for Her Majesty, if She shall think fit, to present such Dean, Archdeacon, or Canon Residentiary, by Her Letters Patent under the Great Seal, to the Archbishop of the Province, and to require the Archbishop, if there shall be no lawful Impediment, to consecrate the Person so presented to him as Assistant Bishop of the See held by the Bishop whose Petition has been presented to Her Majesty, and it shall be the Duty of the Archbishop within Three Months of his receiving the Letters Patent to consecrate accordingly the Person therein named."—(*The Earl Grey.*)

THE BISHOP OF OXFORD said, that he was unable to agree to the clause. He considered the question one of the deepest moment to the future of the Church of England. The office of Suffragan or Assistant Bishop which the clause proposed to call into existence was an office unknown till this time in the Church of Christ. There was, in fact, no warrant in the ancient writers for the proposal of the noble Earl. At the time of the Reformation there were a number of suffragan Bishops who were employed to assist those Prelates who presided over large sees. They usually resided in large towns, where they exercised episcopal jurisdiction, and assisted the neighbouring Bishops. They were commonly called Bishops *in partibus*. There were certain Bishops in the sees within the pale in Ireland, who, having been driven from them, still retained the titles derived from their sees, and came and assisted the English Bishops in carrying out their work. Of course, these persons exercised the functions which had been conferred upon them originally in another country. In a word, they were precisely analogous to returned colonial Bishops at the present day. The declaration of the Church of England in the Ordination Service was that it was plain to all persons diligently reading the Holy Scripture and the ancient authors that there had been from the beginning in the Church of Christ three orders—Bishops, priests, and deacons. It went on to say that these were to be continued amongst us. What authority, he would ask, had any branch of the Church to change altogether the conditions under which the office of Bishop had been created by its Founder, and then to say that it was the same office? In order that a marriage should be contracted it was necessary that there should be a wife as well as a husband. A man might, however, become a widower, and in the same manner a man who had been properly and perfectly consecrated to a see might be driven from it, and might then be capable of assisting other Bishops in their sees; but a Bishop could not be created unless he had a see in the first instance. If, however, their Lordships were called upon to create an office altogether new in the Church of Christ, he would ask whether that would be a safe thing in the present state of things around us? Would it not be a thousand times better that the Bishops, who were overworked at home, should be assisted by returned colonial Bishops? He had now stated his great objection to the scheme, Let them beware of what they were asked to do—let him remind them that everything they did was done in the face of a vigilant and insidious enemy—the Church of Rome, which was always striving to throw discredit on the validity of the episcopal succession in the Church of England. In charity to those persons who might be driven into the meshes which were so thickly spread around them, he would say to their Lordships, "Beware how you touch, without being fully aware of what you are doing, these ancient institutions of the Church of Christ." He also objected to the establishment of this new order on other grounds. Supposing they were created and multiplied, that they were enabled to perform episcopal offices, and that there was no taint about their spiritual patent of creation, what would be the duties to the discharge of which they could be limited? Why, the special spiritual duties of the episcopal order. They would have to confirm, to assist at ordinations, and to take the direct spiritual part of the episcopal office, in order to enable the Bishops to devote their chief attention to Parliament and other worldly matters. Nothing, in his opinion, would tend more to lower them in public estimation than a measure which would lead to their being mere men in Parliament and about Court, mere writers of letters, and which would take away from them the dealing with the souls of men; their confirmation tours, and the coming in contact with the poor of this country in the direct discharge of their spiritual engagements. There was a pregnant passage in Lord Bacon which bore upon this question. Speaking of a proposal made in his day of certain parts of the episcopal office being delegated to others, Lord Bacon said—

> "Surely in this, *ab initio non fuit sic;* but it is probable that Bishops when they gave themselves too much to the glory of the world, and became grandees in kingdoms, and great councillors to princes, then did they delegate their proper jurisdictions as things of too inferior a nature for their greatness."

He protested against a scheme which would sap the whole strength of the episcopal office. The words he had just read would be prophetic if their Lordships were going to make more Bishops to perform spiritual duties in order that the present Bishops might be left with what men considered to be the worldly parts of the office. Nothing, he believed, could so injure the Bishops in the estimation of the people of England as any such partition of duties. When he quitted this busy city and went into his diocese he ministered day by day among the poor, in confirmations and the like, giving advice in spiritual matters and bringing the episcopal office face to face with the spiritual necessities of the people. When he was doing this he felt conscious of a reality in his office. But if their Lordships were to relieve the Bishops of these duties they would be taking the very gem from their mitres and making them mere idle, empty pageants, representing a thing that had passed away. He believed that it would be a great blessing to maintain intact the union between the Church and the State, and that the multiplication in connection with what professed to be the episcopal office of persons who should not be under the restraints which God's providence had put upon the present Bishops, and who should be much less closely connected with the State—that such a multiplication would, in the present temper of men's minds, be sowing the seeds of future danger and dissension, the extent of which it would be hard to estimate. If, for instance, the so-called Bishops were held to have the succession, what an opening would be afforded for new troubles in these troublous times. He confessed that when he reflected on the present position of the Church of England, he saw great danger in giving in any sense the sacred trust of the episcopate to persons who might join one of the extreme parties whom it was now sought to bring back to the unity of the Church. In conclusion, he prayed their Lordships not rashly to take a step which he believed the Church of England would rue to the last day of its existence.

THE BISHOP OF LONDON said, it was the fate of the question of suffragans to be always brought under their Lordships' notice late in the evening; but he trusted he might be excused if even at that late hour he trespassed for a short time upon their attention. No one could more truly appreciate than himself the spiritual nature of the episcopal office, and no man could be more unwilling than himself to lend his aid to any system which might lead the Bishops of the Church of England to regard their secular, rather than their spiritual position. He thought, however, that there was another side to the picture which the right rev. Prelate had drawn. Suppose a Bishop in the extremity of old age, altogether unable to perform his spiritual functions and go through the ordinary business of his diocese—what was to become of his diocese under the present system? It might be said that he ought to resign; but Parliament had provided no means whatever for enabling a Bishop to do so. He did not contend that the plan of the noble Earl (Earl Grey) was the best that could be devised, but it was the only one which had been proposed; and unless their Lordships desired that three or four dioceses at a time should be totally uncared for, it was their bounden duty to provide some means suited to a case where a Bishop afflicted with incapacity through old age or sickness became unable to discharge his spiritual and temporal duties. The right rev. Prelate (the Bishop of Oxford) suggested that recourse might be had to the assistance of their colonial brethren. Having himself cause to be deeply thankful for assistance which he had received during a severe illness last year, he should be the last to be wanting in respect or admiration for the colonial Bishops; but if this was a question affecting, not the Church, but the administration of justice, and a Judge became so old or unwell that he could not perform his duties, would it be deemed proper that no mode should exist for performing his functions except by sending for some retired Indian or colonial

Judge to take his place? That was precisely the position in which the Church was placed by the want of legislation to meet these difficulties. There might be dioceses in particular parts of the country where the pressure was not so constant or so great; but in London, unless the Bishop were able to appear from day to day, as much inconvenience arose to public business, and the spiritual affairs of the diocese would be thrown into as much confusion, as would arise in an assize court if the Judge were suddenly taken ill on his way to it. The plan proposed by the noble Earl was the only one proposed in an intelligible form to meet the difficulties of the case. In certain dioceses, also, it was obvious that the amount of work must always be such as to prevent its being fully accomplished unless some supplemental assistance were provided, and this would be the case however the limits of the diocese might be curtailed. He did not wish to refer again to the diocese over which he had been appointed; but outside its immediate duties, attention had to be given to the appointment of chaplains all over the Continent of Europe, and not merely in Europe, but in other parts of the world as well—for example, in South America. There were also various duties connected with chaplains going to India, and in a degree with army and navy chaplains. To enable all these duties to be fully and fairly performed it was most desirable that assistance should be given. While his right rev. Friend (the Bishop of Oxford) was speaking he could not help recalling an incident in the career of his own predecessor, to whom, when in the full vigour of his intellectual powers, the appointment of suffragan bishops was suggested. He rejected the proposal unhesitatingly; when the person who proposed it to him said quietly, "Perhaps you will take a different view of the matter when you come to be seventy years of age." And therefore to his right rev. Friend, who now, with his undoubted ability and great physical and intellectual force, saw no difficulty in the discharge of his duties, he ventured to say that a time might come when even he would find it difficult to accomplish all those duties which he now discharged so much to the satisfaction of the Church. He certainly had been surprised to hear the proposal made by this Bill represented as a novelty, for their Lordships would remember the discussion which had taken place with regard to the wisdom or otherwise of giving authority for the election of a suffragan Bishop to one of the colonial Bishops in Canada. The Bishop of Niagara appointed the other day was a suffragan Bishop. [The Bishop of OXFORD: *Cum jure successionis.*] Whether this were so or not he could not say, for there were no letters patent in his case. But the Bishop of Kingston was appointed as suffragan, and in his patent he found no mention of any *jus successionis*—he was simply a suffragan of the Bishop of Jamaica, and the authority under which he performed his duties was exactly the same as that which was proposed to be given to the assistant Bishops whom it was now sought to create. The only difference was that the colonial Bishops who had been created had certainly territorial titles. He quite granted that the connection existing between a Bishop and his see was the same as that existing between husband and wife; but it was a strange application of the matrimonial simile to maintain that the name, and the name alone, constituted the true partnership of the matrimonial relation. Without going back to Leo, with whom their Lordships no doubt were as familiar as the right rev. Prelate, he took his stand on the Act which was passed at the time of the Reformation, and continued to be put in force till the reign of Charles II., and, looking to its terms, he felt persuaded that by the plan which the noble Earl proposed there was no danger of introducing any novelty into the Church of England. That no great danger to the episcopal succession need be apprehended from the introduction of suffragan Bishops must be plain, because, if his judgment were accurate, the whole succession of the English Bishops depended on the presence of a suffragan Bishop on the occasion when Archbishop Parker was placed on the throne of Canterbury. What was the use of saying that the introduction of suffragan Bishops would invalidate the succession of English Bishops now, when, if the argument were good for anything, that succession must have been invalidated so far back as the time of Archbishop Parker? He did not believe that the system which the noble Earl proposed to introduce would be in any way an encouragement to Bishops to neglect their spiritual duties, or that it would introduce any novelty either into the Church of England or the Church of Christ. And the proposal of the noble Earl had this great recommendation, that before applying for fresh funds and the creation of fresh bishoprics, it sought to utilise the machinery already existing in the Church. Large revenues were appropriated to our different cathedrals, and these were surrounded with officers and dignitaries who were resident. He desired that these should be maintained with all the influence they at present enjoyed, but that their usefulness should be increased. The proposal of the noble Earl having for its object practically to increase the usefulness of the existing institutions of the Church of England, this, in addition to the other reasons which had been put forward, induced him to believe that it was founded on good sense.

EARL RUSSELL said, that with every respect for the learning and knowledge of Church matters which distinguished the right rev. Prelate who had just spoken, there appeared to him to be practical difficulties in the way of the proposal of the noble Earl, which made him hesitate to adopt it. At present one mode existed of appointing Bishops; they were chosen by the Crown and elected by the Chapter. It was proposed that in future there should be a totally different method of appointment; that the Chapter should be passed over, that the Bishops themselves should select, and the Crown confirm the appointment. Moreover, there would be difficulties with regard to the question of ordination. A suffragan Bishop would have, apparently, all the high and important duties of a Bishop; but would he be respected in the same manner? Would he be able to secure for his office that high veneration which he must say was usually given to Bishops of the Church of England in this country? In the first place the suffragan would be a nominee of the Bishop of the diocese; he could only perform his functions while holding the permission of that Bishop, and he might be at any time removed by the appointment of a new Bishop of the diocese. Again, was it likely that the successor of the Bishop would be satisfied in all cases with a person whom he had not chosen? Would he not desire to appoint his own suffragan? He could not help thinking that in consecrating to the office of Bishop a person who might afterwards cease to exercise the functions of Bishop, and even while he performed them only did so at the will of another, they would be creating grave confusion in the minds of the people, and doing much to lower the office of Bishop in the estimation of the country. Cases would be continually arising in which persons who had solemnly engaged to perform episcopal functions would not be permitted to do so, and the tendency of this would be to lower the office of Bishop in the estimation of the people. He could, however, conceive cases in which a Bishop might be unable from age or infirmity to perform his duties, and it would be very desirable to make some provision permitting him to retire.

THE ARCHBISHOP OF CANTERBURY said, that if the noble Earl (Earl Russell) had introduced a Bill enabling Bishops to resign he would have at once given up all idea of proposing the course he had. It could not be said that the existence of ex-suffragan Bishops would tend to lower the office of Bishop, because their case would be exactly similar to that of ex-colonial Bishops, of whom several were now living in this country without producing the result the noble Earl feared. He did not know that they were treated with less respect or held in less esteem, because they no longer presided over dioceses. With regard to the advisability of intrusting ordination to a suffragan Bishop, in the case of an aged Bishop the assistant would merely ordain; the examination would be conducted by the chaplain of the Bishop. There were, however, very high authorities in support of the opinion that *chorepiscopi* were able to perform all the offices of a Bishop.

THE EARL OF ELLENBOROUGH objected to the clause, which he thought involved a most subversive change in the whole system of the Church—one which would operate generally, although it had been called for only by a particular case. It would be far better if the Government would promise to introduce a Bill during next Session relieving Bishops who had become unable to fulfil the duties of the office through age or other unavoidable circumstances. He thought such a proposition would be received with their favourable attention. The Bill under discussion not only made a general rule for assisting all Bishops, including those who, perhaps, did not deserve assistance, but it invaded the prerogative of the Crown in a most essential matter. For centuries Bishops had been appointed by the Crown, but this Bill proposed that one Bishop should appoint another. He was most anxious to preserve the Church, but did not much regard the convenience of Churchmen, and he insisted on the importance of upholding the prerogative of the Crown in its integrity, as a means of maintaining the Church in its present position, and preserving the office of Bishop surrounded with all the dignity and reverence in which it was held by the people. If the country were covered with these dummy bishops; if a man were created a Bishop, but required to remain in a dormant state, capable of exercising all the functions of a Bishop, but not permitted to exercise one until touched by the inspiring hand of an existing Bishop; if it were determined to create a sort of lay figure in a Bishop's dress, with a real Bishop standing by to make use of him by moving a leg now, an arm then, and a head upon another occasion, and then to put him back in his dormant condition, a mixed figure of episcopal humanity—if all this were done, it would be impossible to support the respectability of the episcopal order, and would certainly injure the Church. He urged their Lordships to reject the clause.

Lord LYTTELTON said, that although he doubted whether the Bill would pass the other House, he should still think a great step had been gained by the passing of the measure through one House. The only vital part of the Bill in his estimation was that which provided for the creation, on such times as Parliament might see fit, of those three new sees the necessity for which had been urged on such high authority.

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Hardinge, V.
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Churchill, L.
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Resolved in the *Negative.*

Bill *passed,* and sent to the Commons.

THE SALMON FISHERY ACT (IRELAND), 1863.

PETITION OF PELHAM JOSEPH MAYNE.

Lord CRANWORTH, in rising to present a Petition from Pelham Joseph Mayne complaining of the operation of the Salmon Fishery Act (Ireland), 1863, and praying for relief, said, that at the time the Act regulating the fisheries of Ireland was before their Lordships' House he took objection to the clause which provided that any person should lose his right of fishing in a particular way, even though the privilege was one which he had lawfully enjoyed from time immemorial, if he had failed to exercise that right during the year 1862, being the year preceding the passing of that Act. He thought at the time that that was a monstrous proposal, striking at the very root of private property, and as such he denounced it. A man might have enjoyed the right which had existed from time immemorial, and yet if he failed through want of funds, because it would have been attended by personal inconvenience, or for any other cause, to avail himself of his right during the year previous to the passing of the Act, he was never to be permitted to exercise it afterwards. The Petitioner in this case complained that he purchased the fishery in question in 1851 in the Encumbered Estates Court, and had worked the fishery down to the year 1859; but he had failed from some cause or other, which was immaterial in considering the subject, to exercise his right in 1862. He had resumed the fishing after 1862; and had to appear before the Fishing Commissioners to show his right so to work his fishery. The Commissioners acknowledged that he had proved a perfect and indefeasible title under the Encumbered Estates Act, but were of opinion that since he had not exercised his right in the year 1862, or the year preceding, the Act of 1863 compelled them to decide against him. He then appealed, as entitled to do, to the Court of Queen's Bench in Ireland; but the Court felt themselves bound to decide against him under the express provision of the Act, contained in the clause which he (Lord Cranworth) had denounced. In confirming the decision of the Commissioners of Fisheries, one of the learned Judges expressed his great regret that the Act of Parliament should have such an effect, and said that the Petitioner's case was one of great hardship, and ought to be brought before Parliament. He (Lord Cranworth) had willingly complied with the request that he should present the Petition to their Lordships' House; and he also proposed to bring in a short Bill which would remedy the harsh effect of the previous Act.

THE EARL OF MALMESBURY hoped that the noble and learned Lord would make the Act general, so as to make it extend to England.

THE LORD CHANCELLOR said, that he also had a Petition to present on the same subject, and he was glad to find that the noble and learned Lord (Lord Cranworth) had brought the question before the House. It was most unjust that property which had been possessed by individuals for many years, and which had been confirmed to them by Act of Parliament, should be taken away from them by a subsequent Act. It was said that Parliament had the right to take away the property if they thought such a course to be desirable. Undoubtedly Parliament had the power to do so; but to take away property in that manner was a most unjust and improper proceeding. He would state shortly the facts contained in the Petition he had to present, which, he thought, would show that the effect of the law was as harsh as it was unjust. The petitioner, a Mr. Little, was the owner of a bag-net salmon fishery, from which he derived a profit of between £200 and £300 per annum. The Act prohibited bag-net fisheries within three miles of the mouth of a river, and empowered the Commissioners to fix the limits of the river's mouth. The Commissioners having decided that his fishery was unlawful, he appealed to the Court of Queen's Bench, who reversed the judgment of the Commissioners, and declared his fishery to be lawful. After the decision of the Court of Queen's Bench, the Commissioners defined the mouth of the river in such a manner as to bring the petitioner's fishery within three miles of it, and consequently his fishery was declared illegal, and he lost an income of above £200 per annum. He, therefore, trusted that the noble and learned Lord would persevere with his intention, and would bring in a Bill to mitigate the harshness and injustice of the Act of 1863.

VISCOUNT LIFFORD also hoped that something would be done to protect the rights of the owners of salmon fisheries.

THE MARQUESS OF CLANRICARDE said, there could be no doubt that the persons who had been deprived of their fisheries by the operation of the Act had enjoyed a peaceable title to their property before those Acts were passed. He suggested that an inquiry should be instituted into the operation of the existing Acts.

Petition ordered to lie on the table.

SALMON FISHERY (IRELAND) ACT AMENDMENT BILL [H.L.]

A Bill to amend the Salmon Fishery (Ireland) Act, 1863—Was *presented* by The Lord CRANWORTH; read 1ª. (No. 168.)

BUSINESS OF THE HOUSE.

MOTION FOR A COMMITTEE.

THE EARL OF SHAFTESBURY said, after the discussion which took place last night relative to the Motion of which he had given notice, which appeared to meet with the general concurrence of the House, and also with the consent of Government, he did not think it necessary to preface his Motion with any statement, but would content himself with simply moving the appointment of the Committee in the terms which stood in the paper. In the absence of Earl Granville, he would also move that the words his noble Friend proposed should be added to the Motion: "And to consider what further changes may be desirable for the better transaction of the business of the House." With respect to the other addition proposed by the noble Earl (the Earl of Carnarvon) opposite, he did not think it at all suitable for inquiry by the Committee. It was not *in pari materiâ*. It was rather a subject to be referred to an architect.

Moved, "That a Select Committee be appointed to inquire into the expediency of making such arrangements as shall enable the House to meet at four o'clock instead of five o'clock for the despatch of business."—(*The Earl of Shaftesbury*.)

THE EARL OF DERBY quite agreed with his noble Friend that there could be no objection to the addition of the words proposed by the noble Earl (Earl Granville) who was not now present. He would suggest, however, to his noble Friend who had taken charge of the Amendment, that instead of "what further changes," the words "any and what further measures" should be substituted. To neither of the proposals did he offer any objection. With respect to the other addition proposed by the noble Earl near him (the Earl of Carnarvon), he rather agreed that it ought to be referred to a separate Committee if to any at all.

THE EARL OF CARNARVON, who had given notice to move the following further addition to the original Motion:—

"Also to consider whether any and what arrangements can be made to remedy the present defective construction of the House in reference to hearing:"—

said the subject of his Amendment had been pressed upon him very strongly by noble Lords on both sides of the House. At the same time he felt that it was not exactly *in pari materiâ* with those the Committee would have dealt with, and under the circumstances he was quite willing to postpone it. He should take another opportunity of making a substantive Motion for the appointment of a Select Committee on the subject, when he hoped no objection would be made by the Government.

THE MARQUESS OF CLANRICARDE agreed with the noble Earl that the subject of his Amendment was one of great importance. When it was said that there ought to be a fuller attendance of their Lordships, it should be remembered that it was quite impossible for any Peer sitting at the other end of the House to hear a single word of what was going on; so that it was often a mere farce to come down to the sitting at all, and they might just as well send proxies. He should like to ask whether the Committee about to be appointed would take the question of proxies into consideration?

LORD STANLEY OF ALDERLEY said, it would come under the words added by Lord Granville.

THE MARQUESS OF CLANRICARDE said, he had thought the reasons given last night for continuing proxies were excessively futile. He had voted several years ago for the abolition of proxies, and he had not at all changed his mind on the subject. Nevertheless, he thought that it was for the whole House, and not for a Committee to consider whether that system ought to be abolished.

EARL RUSSELL thought this a very fit subject to be considered by the Committee, but, of course, the Committee could not decide the question. It would be for the House to consider whether proxies should be continued or not.

THE EARL OF MALMESBURY said, with respect to the Motion of his noble Friend near him (the Earl of Carnarvon) as to the difficulty of hearing in that House, there had been a Committee on the subject twelve or fourteen years ago, and everything was done that could be done after advice taken from architects and scientific persons. The gallery was advanced about twenty feet, and the House was therefore made smaller. Various experiments were gone into, but there was not the slightest hope of success without pulling the House to pieces.

Motion amended and *agreed to*.

Select Committee appointed to inquire into the Expediency of making such arrangements as shall enable the House to meet at Four o'Clock instead of Five o'Clock for the Despatch of Business, and to consider if any and what Changes may be desirable for the better Transaction of the Business of the House."—(*The Earl of Shaftesbury*.)

And, on June 24, the Lords following were named of the Committee:

Ld. Privy Seal	E. Granville
M. Bath	E. Kimberley
Ld. Chamberlain	L. Colville of Culross
E. Shaftesbury	L. Ponsonby
E. Stanhope	L. Redesdale
E. Carnarvon	L. Portman
E. Grey	L. Stanley of Alderley
E. De Grey	L. Lyveden
E. Stradbroke	

STANDING ORDERS.

Select Committee appointed to join with a Committee of the Commons to consider the Act 9th and 10th Vict. Cap. 20. and the Standing Orders of both Houses in relation to Parliamentary Deposits and for securing the Completion of Railways within a prescribed Time, and to report what Alterations it is expedient to make therein for the present and for the ensuing Session: The Lords following were named of the Committee:

D. Richmond	L. Portman
V. Eversley	L. Stanley of Alderley:
L. Redesdale	

And a Message sent to the Commons to acquaint them that this House has appointed a Committee of Five Lords to join with a Committee of the Commons to consider the Act 9th and 10th Vict. Cap. 20. and the Standing Orders of both Houses in relation to Parliamentary Deposits and for securing the completion of Railways within a prescribed time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session; and to request that the Commons will be pleased to appoint an equal Number of Members to be joined with the Members of this House.—(*The Chairman of Committees.*)

House adjourned at a quarter past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 21, 1867.

MINUTES.]—SELECT COMMITTEE—On Paris Exhibition *nominated*.

SUPPLY—*considered in Committee*—POST OFFICE PACKET SERVICE.

PUBLIC BILLS—*Resolution in Committee*—Courts of Law Officers (Ireland) [Salaries and Fees].

Ordered—Local Government Supplemental (No. 5).*

First Reading—Edinburgh Provisional Order Confirmation * [205]; Local Government Supplemental (No. 5) * [206].

Second Reading—Industrial and Provident Societies * [198].

Committee—Representation of the People [79] [R.P.]; Charitable Donations and Bequests (Ireland) * [49].

Report—Charitable Donations and Bequests (Ireland) * [49].

Considered as amended—Galway Harbour (Composition of Debt) * [200]; British White Herring Fishery * [173]; Land Tax Commissioners' Names * [31]; Lis Pendens * [153].

Third Reading—Court of Chancery (Ireland) * [47].

The House met at Two of the clock.

RATING OF CHARITIES AND SCHOOLS. QUESTION.

MR. J. A. SMITH said, he would beg to ask the Secretary of State for the Home Department, Whether, seeing that the whole income and outlay of public Hospitals and Infirmaries is expended in relieving the wants of the poor, Her Majesty's Government will not introduce a Bill to exempt such public Hospitals and Infirmaries from being liable to the payment of poor's rates?

MR. BAINES said, he would also beg to ask, Whether there is any intention to introduce a Bill to exempt Sunday Schools and Day Schools for the education of the working classes from the payment of rates. He would beg to refer to the precedent in the Act of 1833.

MR. GATHORNE HARDY replied that he quite admitted the importance of the question; but in the present state of public business, quite irrespective of anything else, it would appear to be impossible to attempt to introduce a Bill on this subject. He tried to refer to a Select Committee the exemptions which still remained, but they thought their inquiry had been so protracted that they adjourned without reporting on that branch of the question under their consideration. In addition to the proposed exemption of Schools and Charities, there was also to be considered the exemption of property purchased by the Crown. All he could promise was that the subject should receive his most anxious consideration, in conjunction with that of the Secretary of the Treasury, with a view to the introduction of a measure, if it could be appropriately done, in the succeeding Session, but certainly not in the present one.

THE BOUNDARY COMMISSION. QUESTION.

SIR EDWARD BULLER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is intended by the proposed Amendment of Clause 31 of the

Representation of the People Bill to give to the Boundary Commissioners unlimited discretion to recommend fresh divisions of Counties, irrespective of the temporary divisions constituted by the Act. The question was much the same as one he put yesterday, but it had now been put in a more definite form, with the view of eliciting a clearer answer than had been given?

THE CHANCELLOR OF THE EXCHEQUER: Sir, as a clear and definite answer is expected from me it would have been well if the hon. Member had put his question in a clear and definite form. It is intended to give discretion to the Boundary Commissioners, but not unlimited discretion, because that discretion is limited by the language of the clause which we are about to consider. The language of the clause is this—

> "The Boundary Commissioners shall inquire into the divisions of counties as constituted by this Act, and as to the places appointed for holding Courts for the Election of Members for such divisions, with a view to ascertain whether, having regard to the natural and legal divisions of each County, and the distribution of the population therein, any, and what, alterations should be made in such divisions or places."

Those are conditions which make it quite impossible to say that they will have an unlimited discretion, but subject to these conditions they will have unlimited discretion.

MR. W. E. FOSTER said, he would beg to ask Mr. Chancellor of the Exchequer, in reference to the proposed Amendment in Clause 31 of the Representation of the People Bill, Whether, by giving power to the Boundary Commissioners to inquire into and Report on the temporary divisions of Counties as constituted by the Bill, it is intended to give them power to inquire into and report as to whether it is advisable to divide any Counties into two divisions, with three Members each, or into three divisions with two Members each? He put the question because there was some misapprehension as to the power of the Boundary Commissioners.

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, that I gave a plain answer to the inquiry of the hon. Baronet (Sir Edward Buller) as to the discretion of the Boundary Commissioners, and must express my surprise at the question of the hon. Gentleman. They are Boundary Commissioners, and have to deal with boundaries. To suppose for a moment that boundary Commissioners will have to settle the future Representation of the People, is to suppose what I cannot imagine Parliament would sanction. That is the privilege of the Sovereign Legislature of the country, and it cannot for a moment be contemplated that the Boundary Commissioners should exercise any such privilege. Of course, if the Committee sanction the appointment of the Boundary Commissioners, instructions will be addressed to them by the Government as to the fulfilment of their duties; but under no circumstances would such an office devolve upon them as that contemplated by the question of the hon. Member for Bradford.

SIR EDWARD BULLER: Will the letter of Instructions be laid on the table of the House?

THE CHANCELLOR OF THE EXCHEQUER: We shall follow the precedent of 1832, when, I believe, the letter was laid on the table of the House.

MARTIAL LAW IN THE COLONIES.

QUESTION.

MR. W. E. FORSTER said, he wished to ask the Under Secretary of State for the Colonies, When he will lay upon the table of the House the Despatches which he has already stated have been sent to the Governor of Jamaica and the Governors of other Colonies, respecting the proclamation of permission of Martial Law within the Colonies?

MR. ADDERLEY, in reply, stated that he expected to receive the papers referred to daily, and he would present them to Parliament as soon as possible. They would include the Despatch of Lord Carnarvon in January last, addressed not to the Governor of Jamaica, but the Governor of Antigua, which had been sent as a circular to the other Governors in the West Indies, requesting them to submit to their respective Legislatures a proposition for the repeal of any Act or portion of Acts giving to any Governor in the West Indies power to proclaim Martial Law. There had been also a Departmental Committee on the subject, from whose report rules had been drafted for caution and guidance to colonial governors, in case of insurrection or emergency beyond the reach of ordinary law. There would be ample time after the production of the Papers referred to, for their consideration, before the discussion of the Motion of which notice had been given. He believed that it would be necessary to have some further legislation on the subject, in the way of giving larger powers of arrest in cases of necessity.

CANDIA—INSURRECTION IN CRETE.

QUESTION.

MR. MONK said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received any confirmation of the statement made in the newspapers that Omar Pasha had set fire to twenty-three villages, destroyed the vineyards and orchards, and besides burning various mills and buildings, and put to death upwards of 100 women and children, burning some women alive, besides committing other atrocities?

LORD STANLEY: Sir, the statements to which the hon. Member's Question refers are contained in a manifesto issued by the Candian Revolutionary Committee, and intended to create sympathy and obtain assistance. Such documents by their very nature are not, and are not expected to be, either impartial or strictly accurate, and setting aside wilful misrepresentation, we have only to carry our minds back to the time of the Indian mutiny to recollect what wild exaggerations were long current in reference to the acts of the revolted sepoys. I hope, therefore, for the sake of human nature, that there is very great exaggeration in these statements. Certainly they are not in their full extent confirmed by any Consular Reports which I have received. At the same time it is not only probable but certain that upon both sides in this unhappy contest there have been committed many violent and barbarous acts.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 20.]

Bill *considered* in Committee.

(In the Committee.)

Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of new Boroughs, and report of Enlargement necessary.)

MR. GLADSTONE: I would suggest to the right hon. Gentleman that we should come to the consideration of this clause with greater advantage if it were postponed. It could then take its turn at some later period of the discussion upon this Bill: that is to say, after such of the new clauses as would naturally take their place before this clause is determined. On a point of this nature it is desirable to avoid controversy, and to keep free from all those political considerations which naturally divide us more or less upon many points comprised in this Bill; and for that purpose time should be given to Members of this House and the country to consider the terms of the clause, and the names of the Commissioners. When I remind the Committee that this clause was only printed for the first time yesterday, and the names of the Commissioners, forming part of the clause, were only made known to the House yesterday, and put into print this morning, they will, I think, see that this is a matter which requires more time for consideration. Judging by what has reached me I have no hesitation in expressing the opinion that if we proceed after so short a notice to discuss these matters, they are likely to occupy an undue period of time; and I am not without hope that that time may be abridged if the right hon. Gentleman is willing to accede to the suggestion which I now make, that the clause should be postponed. I found this suggestion not only upon policy but upon obvious considerations of propriety, that a clause of so much importance which has been only in print for a single day is hardly in a condition to be discussed with advantage by hon. Members. I will not make a Motion on the subject, but merely express a hope that this may be the view of the Government.

THE CHANCELLOR OF THE EXCHEQUER: I must say I think at this season of the year, and when there is so much business before the House, that the request of the right hon. Gentleman is rather unreasonable. The clause is one of a very simple character. I would also remind the Committee that the placing of these names at the disposition of the House is a voluntary act on the part of the Government. In 1832 nothing of this kind was done. Commissioners were appointed by the Government of the day on their own responsibility, and the boundaries were arranged under their instructions. We thought, on the contrary, that if the House joined with us in appointing these Commissioners, it would create a degree of confidence between the House and the Government which was very desirable, and which, reflected out of doors, would contribute much to promote the satisfactory settlement of this question. Now, the names of these Commissioners have been selected with the greatest care, and I can safely say, on behalf of my Colleagues and myself, that we had no object in view but to place the arrangement of this matter in the hands of gentlemen who would command the confidence of the House and of the country. There is nothing complex or complicated in the character of the duties which are expressed in this clause, and, though I should be sorry under any circumstances to precipitate the decision of the Committee, yet I do not see what advantage is to be derived from delaying the consideration of this clause until after the new clauses have been disposed of. As, however, I am anxious to meet the views of the right hon. Gentleman, I have no objection to postpone this clause until after the remaining clauses in the Bill, have been disposed of; but I cannot consent to postpone it so indefinitely as to the end of the new clauses also. [Mr. GLADSTONE: That would be any day after to-day.] It would come on on Monday.

On Question, "That the Clause be postponed,"

MR. BRIGHT: I wish to make a few observations on this clause before it is postponed. The right hon. Gentleman the Chancellor of the Exchequer has stated the remarkable impartiality of the Commission, but I beg to say that I entirely differ from him. I think he has failed in arriving at the point at which he aimed. There is not a single name on this Commission which may be said to represent in any degree the party which in this House has been most prominent in urging the question of Reform. I having nothing to say against the Chairman of the Commission. Lord Eversley is too well known to us to make it possible for any man to suspect that he would do anything that he did not conscientiously believe to be fair and honourable in the matters intrusted to him. But Lord Eversley will only be the Chairman, and probably will not himself go into the country to listen to the evidence and make the inquiry. Well, then, you come to other Gentlemen whose names I do not wish to read over, nor do I wish to comment upon each particular name; but I venture to say this—that of the two Gentlemen whom the right hon. Gentleman would say were not of his party in politics, one of them, I believe, never was known to do anything on behalf of Reform, and the right hon. Gentleman who sits on this back Bench, I am bound to say during last Session and during this Session has not manifested any hearty enthusiasm in the cause. I do not mean to say that it is necessary that only persons who have manifested this hearty enthusiasm should be on this Commission, but when the House is engaged in the settlement of a great question, which has been most urged on by one section of the House —I mean by the Gentlemen who sit at this end of the House—it is an unheard-of proposition that there should not be on the Commission a single name which represents that section or that party. Therefore, I protest against the Commission as it is, and I venture to say that its conclusions will be liable to be called in question, whatever they may be, where any part of the population of the boroughs may think themselves aggrieved by the determination to which they may come. Now, let the Committee bear in mind that although the House, I presume, will have the power hereafter, when the Report of the Commission is brought before it, to make any change which it may please to make—I am not quite sure what the right hon. Gentleman's proposition with regard to that is; I think that at the time of the Reform Act of 1832 a very bad system was adopted, by which the Privy Council, if I mistake not, had the right of making changes, and I believe they made some changes that were very unfair, and rather in the interest of the then ruling party than in the interest of the public—yet this, I think, is clear to all of us, that whatever is the recommendation with regard to any particular borough made by the Commission, it will necessarily have great weight in this House, and it will be very difficult to obtain any change. Therefore, the more difficult it may be, the more it is necessary to see that the Commission shall be one which shall give unlimited confidence to all sections of politicians in the country; and I maintain that if there be no gentleman upon this Commission, whose devotion to the question of Reform has been manifested before the present Session, that confidence will not be placed in it which ought to be, and the Government will have no right to expect it. So much with regard to the names. There is another point to which I wish to call the attention of the Chancellor of the Exchequer, and it relates to the second portion of the clause. It is this—that I think some attention ought to be paid to a suggestion made by the right hon. Gentleman the Member for South Lancashire last year, with regard to the propriety of making the boundaries of Parliamentary boroughs conterminous with the boundaries of municipal boroughs.

MR. GLADSTONE: I did not suggest that the boundaries should be absolutely identical, but that wherever the boundary of the municipal borough was more extensive than the boundary of the Parliamentary borough, the latter should be made the same as the municipal borough.

MR. BRIGHT: I knew that it had reference to the municipal boroughs. I will take the borough in which I live, which I presume is a sample of a great many others. That borough is a mile and a half in diameter. It is a circle, and the municipal borough centre is only a few yards removed from the Parliamentary borough centre, and therefore the boundaries are very nearly the same. Now, if these Commissioners were to go down to the town of Rochdale as one of the boroughs, and propose to enlarge it, they might enlarge the Parliamentary borough; but they would have no power whatever under the Commission, nor is it right that they should have, to enlarge the municipal borough. The mayor, or the chief officer of the corporation, is the returning officer, and he has to determine the functions of those who are outside his municipal boundary. Well, then, again you bring into action, as a sort of corporate body in returning a Member to Parliament, those who are not united in local affairs and in local taxation, which I think of itself is an undesirable thing, and therefore I should be glad to propose, and I shall probably do so, when we come to that part of the clause, that some words should be introduced providing that there shall be a reference in the whole of this examination by the Commission to the question, what are the present municipal boundaries? and that there should not be, except under extraordinary circumstances—and I doubt whether it would be advisable anywhere—an extension of the boundaries of the Parliamentary boroughs wider than the present extent of the municipal boundaries. While you send these seven gentlemen, who are practically nearly all of one political party—[*Cries of* "Oh, oh!"]—indeed I know as much about these gentlemen as anybody in the House—while you send these gentlemen, who are nearly all practically of one political party, with a roving commission to examine into the maps and boundaries of all the boroughs of the kingdom, they have no power to contract the boundaries, and they have no power whatever to shut out great portions of land which have no business whatever in fifty boroughs. These Commissioners have no power to contract; they only have power to enlarge; they may go down to hear such evidence and to make such Report as they please; and when their Report is made the House may then feel it is almost hopeless to deal with the subject. I say then, first, that the Commission should be so constituted as to command the confidence of all parties; and, secondly, there ought to be words in this clause more clearly defining what are the powers of the Commission. The House ought not to commit to any Commission, I will say, however chosen, powers so great and so undefined as those which are included in this clause. I make these observations merely for the purpose of introducing the question to the Committee. I am glad the right hon. Gentleman has consented to postpone the clause for a time; and I hope in the meanwhile he will not render it necessary that there should be a Motion made in the House for the substitution of another name for any of those contained in the clause. I do, however, urge on him, in the interest of his own Bill, and in order to give satisfaction to the country, the importance of at least placing upon the Commission one gentleman who is and has been known both in this House and in the country as honestly and earnestly in favour of a real representation of the people.

COLONEL STUART KNOX said, that he did not quite understand the object of the hon. Member for Birmingham. The hon. Member objected to the composition of the Commission on the ground that the Members of it were too impartial. Was it the hon. Gentleman's wish to have the Members of the Reform League put upon it—the men who had been parties to the late Reform row in St. James's Hall? Or would the hon. Gentleman put on the Commission those friends of his who had signed the Fenian Petition, of which he would say that it was received with contempt and disgust by the House, although the hon. Gentleman contrived to have it placed on the table? Perhaps it was Mr. Beales, or others like him, that the hon. Gentleman wished to have placed on the Commission?

SIR GEORGE GREY said, that, as the

right hon. Gentleman had consented to postpone this clause, he hoped the Committee would not then enter into a discussion as to the names of the Gentlemen who were to compose the Commission, or as to the powers that were to be entrusted to them. The right hon. Gentleman had said that the proposal of his right hon. Friend (Mr. Gladstone) was unreasonable, and that it would involve delay. But it need not involve any delay, because if they entered upon the discussion of the clause it might occupy the whole day, and they might, after all, come to no conclusion upon it. Then the right hon. Gentleman had talked of taking the House into his confidence. But it had been shown that it was absolutely necessary that full time should be given to consider the names proposed, because the House was now asked to assume a share of the responsibility for those names. The Committee ought also to be able to form an opinion as to the principles upon which the Commissioners were to act. He understood the right hon. Gentleman to say that he had no objection to lay on the table the instructions under which the Commissioners were to proceed. It was quite necessary that they should have definite instructions. In 1832, the Commissioners were instructed, among other things, to ascertain whether there was any local Act of Parliament under which definite limits were assigned to the towns; and letters were addressed to the town clerks to ascertain the facts. At that time the Municipal Reform Act was not passed, and therefore reference was necessarily made to local Acts. Now, without tying up the hands of the Commissioners, it would be quite necessary that they should be provided on the present occasion with Instructions laying down principles for their guidance beyond those laid down in the clause. He understood the right hon. Gentleman to say that he would have no objection to lay such Instructions upon the table, and he thought it would be very desirable if that course were taken before the clause came on for discussion.

Mr. GOLDNEY said, he wished to remind the Committee, with reference to what had fallen from the hon. Member for Birmingham as to the boundaries of boroughs, that he had brought the subject before the House last year. The fact was that at the time of the passing of the Municipal Corporation Act the boundaries of boroughs, the limits of which required to be altered or extended, eighty-one in number, were left untouched, for this reason—that the House was very jealous of permitting the Commissioners to deal with the boundaries, and deferred the matter in order that Parliament might deal with it by some future measure. That time never arrived, and the consequence was that nothing had been done with respect to these eighty-one boroughs for a period of more than thirty years. Taking the case of York, for example, there was one portion of the borough which was wholly excluded from representation. Now, he thought it was very desirable that the Parliamentary and municipal boundaries should, to a certain extent, be identical; and if the Government were going to frame any definite Instructions, as had been suggested by the right hon. Gentleman opposite, the case of the eighty-one boroughs to which he had called attention ought not to be forgotten.

Sir EDWARD DERING said, he remembered the discussion which took place in 1832, and which was exactly of the same nature as that which was now going on, as to any Instructions which were to be given to the Commissioners. He recollected that on that occasion Lord Althorpe made use of words which gave very general satisfaction to the House when he said that it would be the duty of the Commissioners to include within the limits of the borough all such places as were so closely interwoven and intermixed with the borough as to form a natural part of it. The hon. Member for Birmingham was hardly correct in saying that the decisions of the Commissioners were not on that occasion subject to the revision of the House. A considerable amount of discussion took place at the time when the Commissioners were appointed, and odjections were taken to the very large powers which were given to them. A great part however of those objections was obviated by the stress which was laid on the fact that all decisions of the Commission were to be subject to the revision of the House.

Mr. DENMAN said he had very great doubt as to whether it would give satisfaction to the country generally that any person should be appointed a member of a Commission with such large powers who had any personal interest in the matters to be enquired into. It was contrary to all ordinary principles of justice that any person should exercise an office, in its nature judicial, who might have any interest in the question into which he was about to inquire. Two of the Gentlemen named were actually Members of the House, and another was a Gentleman who had been a Member for some time and might probably again be a candidate for a seat—he meant the late Member for Berkshire (Mr. Walter). He did not mean to throw any imputation upon those gentlemen that they would be unfairly influenced; if they had any bias, he had so much respect for their characters that he thought it highly probable that that bias would be in the direction contrary to their own interests; but he thought that that very argument was strong against the appointment of Members of the House, who might become personally interested and affected at any moment by the proceedings of the Commission. He had so much confidence in his hon. and learned Friend the Member for Southampton (Mr. Russell Gurney) as to believe that if a question arose affecting his interests he would, in a case of doubt, decide against himself. That would be his hon. and learned Friend's *ratio decidendi.* But it was a rule which prevailed in all Courts of Justice, that no person who had any interest in a matter should be a party to a decision by which he might be affected. If however they were to have members of the House on the Commission, he entirely agreed with the hon. Member for Birmingham that they ought to have men of pronounced opinions upon it—a thoroughgoing Liberal on the one side and a thoroughgoing Tory on the other, and not attempt to choose men of no strongly pronounced opinions, from a notion that they would thereby obtain perfect impartiality. One thing was quite certain, that in this Commission the urban distinguished from the county interest was not sufficiently represented. Most of the Gentlemen named were in the main connected with the agricultural interest, thus giving a preponderance to county interests where county and borough interests did not run together. He hoped that before the clause came on for discussion the Government would consider these points, with a view to making such alterations in the composition of the Committee as would obviate objections which were otherwise sure to be raised.

MR. HIBBERT said, he could not agree with his hon. Friend the Member for Birmingham that it was desirable that the boundaries of the parliamentary boroughs should always be conterminous with those of the municipal boroughs. There were many large and growing towns situated outside of the municipal boroughs to which the franchise ought, in his opinion, to be extended, though the inhabitants would not desire to be incorporated with the municipalities, and he did not think it would be advisable to lay down any strict rule which would limit the discretion of the Commissioners in the matter. The borough which he represented (Oldham) was an instance of this, and he thought it was a fortunate thing that the Parliamentary area was made so wide in 1832, for otherwise those townships would virtually have had no representation.

COLONEL DYOTT said, he thought it would on that occasion be altogether out of place to attempt to criticise the mode in which the Commissioners should discharge their duties. There was one observation in the speech of the hon. Member for Birmingham, in which he entirely concurred, namely, that the Commissioners should have power to curtail as well as to enlarge the boundaries of boroughs. A recent Return showed that there were eight boroughs containing within their present area less than 10,000 inhabitants each, but which, if the whole parish were included within the Parliamentary boundary, would exceed that number. The borough of Bridport, for instance, contained only little less than 10,000 inhabitants within a space of one square mile; that of Chichester, 1 1-10th, of Guildford 9-10ths, of Lewes 1 3-10ths, and Lichfield, Newport, Poole, and Windsor were similarly circumstanced. Windsor, with an area of four square miles, had a little under 10,000 inhabitants; but if the whole parish were taken in its population would be 12,454. Tiverton, on the other hand, had an area of twenty-seven square miles, and just over 10,000 people. Now, it was manifestly unjust to take one Member from Windsor and leave Tiverton two. These anomalies were not entitled to respect as being the growth of ages, for they dated only from 1832. The question was whether they would adopt the Amendment of the Chancellor of the Exchequer, which proposed to curtail the discretion of the Commissioners in this matter, empowering them only to enlarge boroughs, or whether they would also invest them with the discretionary power of diminishing the borough areas. In his opinion it would be better to pursue the latter course on an occasion like the present, when they were reviewing and re-constituting our whole Parliamentary system.

Mr. W. E. FORSTER said, there were a few points with respect to which he wished to obtain some further information from the Chancellor of the Exchequer. The clause as originally framed provided that the Report of the Commissioners should have no validity until it was confirmed by Parliament; but he observed that that proviso was not repeated in the new clause which the right hon. Gentleman at present proposed to postpone. That was, he supposed, a mere accidental omission; but he was anxious to know whether he was right in entertaining that impression. The original clause also contemplated the appointment of assistant Commissioners. The present clause, however, said nothing upon that subject, and he begged leave to ask whether the Government had made any change in their first determination upon that matter? He had also to express a hope that the right hon. Gentleman would lay upon the table a copy of the Letter of Instructions to be issued to the Commissioners before he asked the Committee to sanction their appointment.

Sir EDWARD COLEBROOKE wished to know whether the Government intended to issue a separate Commission for Scotland, or whether the same Commissioners would act for the whole of the United Kingdom.

Mr. BERESFORD HOPE said, that the discussion on which the Committee was engaged seemed to him to open out the wider question whether it would not have been better policy to have made the boundary examination antecedent to the re-distribution of seats. In his opinion it would be desirable before they partially disfranchised any borough, to know what were the area and the circumstances under which the amount of the population was determined, both in case of the boroughs which were partially disfranchised, and of those which were wholly retained. Certain boroughs had been deprived of one Member and had been otherwise hard hit in debate, because their population was less than 10,000; would it not then be natural for the Commissioners to prop them up by giving them as large an one as possible? But if that were done they would find next Session, when they were giving the finishing stroke to Reform, that certain constituencies of from 10,000 to 15,000 inhabitants, returned two Members, while other constituencies with a larger population and greater area, returned only one Member. Now, could any man of sense believe that that would be a satisfactory settlement of the Reform question, and that it would not, on the contrary, be a nest-egg of future agitation? At present it was understood that we had only two classes of representative areas — namely, counties and boroughs. But henceforward we should have three classes—namely, counties, boroughs, and *quasi*-counties with a borough franchise. He did not believe this would be a good or desirable settlement of the question, for the existence of such constituencies would be a direct invitation to the residuum of the counties—more limited constituencies, though larger areas—to claim that the counties themselves should be reduced to a condition of household suffrage. He knew it was generally considered that those rural boroughs were Conservative institutions, because it was calculated that the peasant householders would vote as their landlords wished; but he thought it would be a most fallacious and unfortunate position for the Conservative party to base itself upon the ignorance and subserviency of the country population. He believed that Conservatism was an intelligent and discriminative political system, and he flattered himself that Conservative politics stood the test of reason and examination; so he should be sorry to find that their supporters depended upon mere passion and the influence of landlords. He did not attach much belief to the opinion which was fashionable on that side of the House that these boroughs would be useful for the future, as the means of introducing young talent into the House. He feared that with the new household suffrage those boroughs would be perfectly altered and spoilt for that purpose. The institutions which were once really useful in introducing young talent, were the old nomination boroughs; but in the case of nomination boroughs, there was no corruption, or subserviency, or tampering with ignorance. The system which led to a seat in the House being procurable by an agreement with the patron of Gatton or old Sarum may have been unjustifiable in the abstract, but it was not degrading nor yet corrupt, for the patron of such a borough was a man of the same social standing and education as the candidate, and the bargain was openly made. But with these rural householder boroughs, intelligence would go for much less than money, and the candidate would have to pay his way through a dense phalanx of chawbacons. He feared that the course which they were adopting in that matter, creating, as it probably would, some twenty or thirty such constituencies, would only lead in a very short time to another democratic agitation for another Radical Reform Bill.

MR. DENMAN said, he wished to offer a few words of explanation in reference to the observations made by the hon. and gallant Member for Lichfield (Colonel Dyott) with respect to the case of Tiverton. He dared say he could do as well without his hon. Colleague as his hon. Colleague could do without him. But he did not think the hon. and gallant Member was right in supposing that the borough of Tiverton was the creation of the Act of 1832. The fact was that Tiverton was an old borough, the boundaries of which were formerly conterminous with those of the parish, and the only difference between its past and its present condition was that its two Members were now returned by 600 electors, which number that Bill would nearly double, whereas before the Reform Act twenty-four persons sent two Members to that House.

MR. EDWARDS said, he hoped that justice would be done to boroughs like Windsor, which he had the honour of representing, and which possessed a population just under 10,000. The fact, with respect to Windsor, was that many persons who really formed a portion of the population lived within the parish, but just outside the boundaries of the borough.

THE CHANCELLOR OF THE EXCHEQUER: I hoped that as it has been generally agreed to postpone the consideration of the clause, this discussion upon it would also be closed, and I should not have risen but for the appeals made to me, and the questions which have been put. With regard to the composition of the Commission, with which the hon. Member for Birmingham finds fault, I can only say that we start from different principles as to the elements of a Commission of this kind. The hon. Member for Birmingham thinks that the Commission ought to consist of men of decided political opinions. [MR. BRIGHT: I did not say anything of the kind.] We have endeavoured, on the contrary, to exclude gentlemen of very strong political opinions, and it will be found that I have not recommended that any Friend of mine of very decided opinions should be placed upon the Commission. I admit that it was the wish of the Government originally that no Member of Parliament should be put upon the Commission; but it was urged upon us by persons in authority in a most impressive manner, that it would be extremely desirable that the Commission should be represented by Members of this House, so that if discussions should arise on their decisions they should be represented by Members of the Commission, and not by friends in this House, or by the Government as a mere public duty. I should have been very glad to select an individual from either side of the House to perform this duty, but in a matter of this kind you have to consider not merely your own convictions, but the popular feeling of the country, which would not be satisfied unless both sides are represented. On the part of this side of the House I recommended the name of a right hon. Gentleman who, I think, the House will agree with me, is a man of high judicial qualities, and will be generally acceptable on both sides of the House. On the other side of the House I ventured to recommend the name of another right hon. Gentleman whose feelings and opinions are in accord with those of hon. Gentlemen sitting on that side of the House, and who, from his experience and high character, is also well qualified for the office. It was thought advisable to place upon the Commission two Members of the other House as well as of this House, and accordingly I recommended Lord Eversley and Lord Penrhyn, with whom as Colonel Douglas Pennant, hon. Gentlemen have all been long familiar. We know his talents for business, his high character, and temperate opinions, and I believe that to be on the whole a very judicious recommendation. With regard to the other Gentlemen whose names I mentioned there is Sir John Duckworth. He was a Member of this House, and I think it very advisable that if the Members of the Commission are not actually Members of this House they should be men thoroughly acquainted with Parliamentary functions. Sir John was a Member of this House. He was a very able and competent man of business, and of very temperate views. The late Member for Berkshire (Mr. Walter) is a man of very decided Liberal opinions. Mr. Bramston is a man known for his habits of business, and distinguished for his independent political views. He sat on this side of the House, but I used to see him very seldom in the same lobby as myself, he being one of the most valuable supporters of the Government of Lord Palmerston. At the same time, every one who knows him knows his acquaintance with all the matters likely to be brought under the consideration of the Commission. I really believe that Her Majesty's Government have recommended to Parliament the names of those who will obtain the confidence of the country. As I have said, I look at this matter from a different standpoint from the hon. Member for Birmingham, and I say that no individual, with strong political or party opinion, or who is very much mixed up with our party struggles, ought to be appointed on this Commission. With regard to County Members, there is not a single County Member on the Commission, but there are two Members for boroughs. It was important if possible to select some Members from the North of England, but it is in the nature of things that the distribution of Parliamentary power should be towards the North of England; and therefore, although I could have named Gentlemen on both sides in whom we should feel great confidence, we could not but feel that these Gentlemen would have been called upon to decide questions in which they are personally interested. I am surprised that a Gentleman of such experience as the hon. Member for Bradford should make the inquiry he has made as to whether the decisions of the Committee are to be valid without the sanction of Parliament. It is, of course, impossible that the laws of this country can be changed by any body of men without the consent of Parliament. But the words of the original clause appearing to be ill drawn we have substituted words which will be much more satisfactory. The Reports of the Commissioners must be the foundation of legislation; and when the Boundary Bill is before the House, there will be no detail in it which it will not be open to every hon. Member to criticise or propose to alter. The hon. Gemtleman also asked me whether there will be assistant Commissioners. To a large extent the duties of the Commission can be performed without subordinate assistance, but it is impossible to say now how far that will be the case. If we were to attempt to decide that now, we should be embarking on the question of a large and, perhaps, unnecessarily expensive staff. When the Commissioners are appointed they will meet to consult together and form some estimate of the duties which will have to be performed; and although I do not contemplate that the Commission will itself visit all these various localities, yet I have no doubt they will avail themselves of their right to do so when that is expedient; and, of course, they will require some subordinate assistance. The House of Commons is not to be troubled with all the details, and at the present moment it is impossible for me to form an opinion as to their exact character. When, however, the Commissioners have met and considered the extent of the duties to be fulfilled, they will communicate with the Government as to what assistance may be requisite. With respect to laying the instructions to be issued to the Commission on the table before this clause is passed, I cannot undertake to do that. We wish the Commission to be appointed by Parliament; and of course, whenever the instructions are given, they will be laid on the table of the House. I do not think those instructions will be of so elaborate a character as on the previous occasion of 1832, because, since that time, the Municipal Reform Act and other important Acts bearing on these matters have been passed. But in the fair discussion which we shall have on this clause I hope on Monday that both sides of the House will come to a clear understanding as to what the functions of the Commissioners will be. I trust the clause respecting the appointment and the duties of this Commission will not be allowed to enter into the elements of party conflict. I do not myself take the exaggerated view which some hon. Gentlemen opposite appear to take of the duties which the Commissioners will have to discharge. I believe they will fulfil those duties discreetly, and will contribute very much to the beneficial working of this Bill; but it will be our own fault if we do not come to a clear understanding as to what we wish them to do. I have been asked whether it will not be necessary to have a Boundary Commission for Scotland also. Well, as far as I am informed at present, I do not see any necessity for that; but really until the House has come to a conclusion on the details of the Scotch Reform Bill, it would be premature to speak positively one way or the other on that point. I hope it may not be requisite to have recourse to that expedient, the circumstances of Scotland being rather different from those of England; but, if it cannot be avoided, of course it will be adopted. I hope the Committee will now proceed with the next clause and make some progress with this measure.

MR. BRIGHT: In the observations I made a little earlier I did not pretend to discuss the names of the proposed Members of this Commission. But the right hon. Gentleman has brought them out and given his opinion of the Commissioners, dividing them into those connected with counties and those connected with boroughs. Now, I take it to be a very important circumstance that there should be any separate interest between counties and boroughs in this matter. I would not myself vote for any man to be placed on this Commission who, in the discussion of the boundary of any borough, would be influenced by the consideration that this or that boundary would be more likely to make a county more Liberal or more Conservative than another boundary would do. Any man who could be actuated by such a feeling as that would in my opinion be altogether unfit to be placed on this Commission. But assuming, if you like, that these Gentlemen will be as impartial as any others who could be named, I believe the public will not entertain that opinion as regards the list which is before us. Setting aside the Chairman (Lord Eversley), my own opinion is that the House of Commons would have done wisely to commit the whole of this matter to men who are not Members of the House of Peers. I do not understand why Lord Penrhyn should be a Member of the Commission. He is a great landowner and a man of enormous wealth, to which none of us can object, but he was very recently a county Member. The right hon. Member for Southampton is the Recorder for the city of London, and he has his business in Parliament as well as his recordership to occupy him. I am bound to say that if the Members of this Commission are to pay much attention to their duties, a better selection—I am not now complaining of it in other respects—might have been made than of a Gentleman whose judicial, professional, and other duties must take up so much of his daily time. Sir J. Duckworth was not, I admit, a county Member; he was a borough Member, and was once Member for Exeter, but his connections are all with that class to which the right hon. Gentleman has referred. But Mr. Walter was a county Member, and, I may say, looks to be a county Member again. He is connected with a powerful journal, and I do not know how it is, but one sees a great deal of court paid by Ministers to that journal. This I can speak positively of Mr. Walter, that I have never come into personal communication or discussion with any man while I have been in Parliament who has, as I should call it, a more fanatical admiration of what is termed the territorial interest of this country. On grounds therefore on which this Commission may properly be attacked or defended, I say that Mr. Walter is not a person free from strong opinion on a matter of this kind, although I would not insinuate for a moment that there is a doubt in my mind that he would intentionally do anything which he did not believe to be quite fair and honourable. The right hon. Gentleman says that Mr. Bramston was an independent Member of this House. Of course, we are all independent Members in a sense, but Mr. Bramston was a Member of the party opposite and the Member for a county. So that, looking at the whole of these names—and I would not have mentioned them but that the right hon. Gentleman himself has done so—I say this Commission is not one such as will give perfect satisfaction to the country. I do not believe that the most impartial men in this House are those who never open their mouths. I believe that the Chancellor of the Exchequer himself, or the right hon. Gentleman the Member for South Lancashire, or even I who now address the House, would be quite as impartial in a matter of this kind as any of the silent Members who sit and so patiently and so frequently listen to us. Therefore because Gentlemen do not take an active part in the debates of this House, that is no reason for supposing they have not strong opinions and strong party opinions. Why, it requires twice the strength of party opinion to induce Gentlemen to come here every night to vote incessantly and listen to long speeches that it does for Gentlemen who have the excitement of addressing the House, as some of us do so often. But the right hon. Gentleman is wrong in telling us that these Gentlemen have a sort of neutral tint which will make them do everything that is fair. Probably they will; but let us have a Commission such as the country will believe to be fair. The first thing these Commissioners will do when they meet will be to appoint the real Commission—that is, the Assistant Commissioners. The men whom we have had named to us are the Gentlemen Commissioners who will look over the working Commissioners, and give their sanction to their labours. We shall have no real superintendence over that assistant Commission. I do not know that even the Chancellor of the Exchequer will have anything to say in the appointment of these Gentlemen, though his recommendation will of course have some effect. But the House will have no power in the matter. The Assistant Commissioners will go down to all these places and will make their reports to these Gentlemen Commissioners, who will naturally be guided very much by the views of the majority of those whom they have themselves appointed. I say, therefore, that the constitution of this Commission is not such as gives me a perfect confidence—and I do not believe it will give confidence at all to the country—that their judgments may be relied on. You should appoint men of whom the country on looking at their names will say, "This is a perfectly fair Commission; if some one upon it be of strong opinions on one side, there is another member who is of strong opinions on the other side; and, by their joint decisions, we may believe that common justice will be done." I do not wish to suggest that any of these names should be left out in order that some others may be included; but I wish to leave it open for myself hereafter either to move to omit some of the names, and put others in their place, or to add to the list. I do not know why the number should be rigidly fixed at seven. It might be increased to nine, and its composition may be greatly changed. I give this notice in the hope that the Chancellor of the Exchequer may consider the matter before we resume the discussion of the clause.

Mr. BAILLIE COCHRANE said, he was at a loss to know how the hon. Member for Birmingham would really like to have the Commission constituted. He understood him, in the first place, to say there should be no Peer upon it. [Mr. Bright: No]; and, next, that no county Member should be selected. [Mr. Bright again expressed his dissent.] Whom then would the hon. Gentleman have upon the Commission? Were the Commissioners to be men of no experience, no profession, and no employment? But the hon. Member even went further, and seemed to object to a man who wished to stand as a candidate at another election. The hon. Gentleman did not tell them what description of person he desired to see appointed.

Mr. BRIGHT: It is evident the hon. Gentleman is not one of those to whom I just referred as coming down to the House and paying attention to the speeches which are made.

Mr. GLADSTONE: I can hardly regret that this preliminary discussion, though it has occupied an hour of our time, has taken place, as I think it will be of use when we come to consider the clause. I confess I think that very great credit is due to the Government for proposing to submit to the House the names of the Commissioners. I at the same time very much doubt whether the Chancellor of the Exchequer has taken a perfectly just measure of the consequences which are likely to arise from the decision to admit the House into his confidence at which he has arrived, instead of appointing, as in 1832, the Commission on the responsibility of the Executive Government. I do not intend to enter into the various points to which the right hon. Gentleman in the course of his speech referred, because it is better, in my opinion, that the discussion of them should be deferred to the proper time. There is, however, one point to which I would now wish briefly to advert. An appeal has been made to the right hon. Gentleman to the effect, that if the Government should propose to issue instructions to the Commissioners those instructions should be laid on the table; and the right hon. Gentleman has promised that this shall be done. But the point I wish to suggest is, that if the Commissioners are to be Parliamentary officers, it is impossible to say from what source is to be derived the authority of the Executive Government to instruct them at all. If they are to be the officers of the Government, then let it by all means issue to them such instructions as it may deem fit. If, however, they are to be affected by this Statute, then I say, without hesitation, that the right hon. Gentleman will have no more authority to instruct them than myself, and I need not say that that is very little indeed.

Mr. ROEBUCK said, it is quite clear if we are to act upon the statement of the right hon. Gentleman, that it would be wise of the Chancellor of the Exchequer to withdraw those names and to appoint the Commissioners himself.

Mr. DARBY GRIFFITH said, that he felt delicacy in referring to individual Members, but as the matter had been discussed, he thought hon. Gentlemen might express an opinion whether hon. Members of that House were the fittest persons to be placed upon the Commission, and for his part he thought they were not. Another of the proposed Members was connected with a potent journal, and was placed in a position of peculiar delicacy; and he thought they might make a better selection than that particular Gentleman. He said that with the most perfect regard and respect for that Gentleman, whom he hoped to see again a Member of the House.

Clause *postponed.*

Clause 32 (Polling Booths, at which certain Voters are to poll) *struck out.*

Clause 33 (Repeal of Proviso to 6 *Vict.* c. 18).

Mr. DENMAN said, that, under the Act of William IV., a voter might be placed on the register and might be enabled to vote at an election, although for eleven months previously he might have ceased to reside in the borough for which he was registered. That state of things was found to cause much inconvenience, and as a consequence that provision of the 6th of Victoria, which it was now proposed to repeal, was passed. All that he proposed to do was to leave the law exactly as it stood with regard to the old voters, and to extend to the new voters precisely the same safeguards applicable to those now on the register. The Government might at one time have said they were about to introduce voting by voting papers, and that that would save expense, and render it possible to repeal this enactment without ruining candidates by travelling expenses of non-resident voters; but they were now deprived of that argument, and, indeed, even it would not have met the opinion maintained by Sir James Graham, in the discussion on the clause now sought to be repealed, that when a person had ceased to reside in a place ten or eleven months he had ceased to have that interest in it which was some security for the due performance of his duty as an elector. He concluded by moving the omission of the words, "There shall be repealed," and the insertion of the words, "From and after the passing of this Act," with a view to making the clause read, by further amendment, that so much of the 79th section of 6 *Vict.* c. 18, as related to the residence of voters at the time they gave their votes should extend and apply to all new voters.

The CHANCELLOR of the EXCHEQUER said, it would be best to omit the clause altogether, as the object in view would be attained by Clause 40.

Mr. DENMAN said, he had looked into Clause 40, and thought the desired end would not be attained without the insertion of words especially applying to the new voters.

Mr. AYRTON said, that if they were to adopt the amendment of the hon. and learned Gentleman they would get into the greatest possible confusion. The proviso referred to in the clause was part of an Act regulating the registration of voters, and if the words were not sufficiently extensive to apply to new voters under £10, they must be made so. It was best to strike out the clause and bring up a new and comprehensive one.

Mr. BARROW said, he thought it would be desirable that it should be left to the returning officer to inquire of a voter whether he retained the qualification under which he presumed to give his vote.

Mr. JAMES said, he thought that the clauses referred to by the Chancellor of the Exchequer were so uncertain in their language that they would be sure to lead to litigation, and that the Committee would do well to accept the Amendment of his hon. and learned Friend, as it would extend a very useful principle of the 6 & 7 *Vict.* c. 18, to the new class of voters to be created under this Bill.

Mr. GOLDNEY said, he thought that the proposal of the hon. and learned Member would lead to endless discussions before the returning officer.

The ATTORNEY GENERAL said, that if the words in the 40th clause were not sufficient to meet the case, there would be no difficulty in adding to them. The Amendment, if adopted, would lead to doubt and difficulty.

Mr. DENMAN said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clauses 34 and 35 *struck out.*

Clause 36 (Corrupt Payment of Rates to be punishable as Bribery).

Sir RAINALD KNIGHTLEY proposed to leave out the words "for the purpose of enabling him to be registered as a voter;" and observed that the payment of an elector's rate by a third party was bribery, and that this might be made to apply to the poorer class of occupiers who were relieved from the payment of their rates by reason of their poverty. This poorer class of occupiers was numerous in the boroughs, and if the landlord or election agent were to pay their rates they would not derive a farthing of profit from it. He did not see what practical difference there was between the payment of £4 or £5 to a railway company for the travelling expenses of a voter, in order that he might exercise the franchise, and the payment of 2*s.* or 3*s.* to a parish for enabling a man to do exactly the same thing. He was anxious that these rates should not be paid by candidates; but in order to attain that object you must have some different machinery from that suggested by the Government.

Mr. ROEBUCK said, he would ask whether it was desirable that the Committee should give facilities for the creation of fagot votes; they had already laid down the principle, that a man who was relieved by the parish from the payment of rates should not vote, so that the effect of paying a man's rates was to put on the register one who otherwise would not be there because he had not fulfilled the duties required by law. What was the payment of a man's rates but to enable him to be put on the roll of electors? To omit these words, therefore, was to go against the whole spirit of the Act, and to allow the payment of a man's rates was to sanction bribery, and he should therefore oppose the Amendment.

Sir GEORGE GREY asked what was to constitute the "corrupt" payment of rates? If a man's rate came to 2*s.* and a third party gave him 2*s.* 6*d.* to pay it with, would that be a corrupt payment? It would be a very easy thing to evade the operation of the clause. Was it intended that nothing should be given by way of gratuity to any ratepayer a certain time before the registration? He suggested the propriety of referring this particular clause to the consideration of the Committee on Bribery at Elections, instead of attempting to introduce into this Bill a single clause dealing with a single kind of bribery.

Sir FRANCIS GOLDSMID said, that as the clause stood, instead of making the law relating to bribery clearer, it only made it more puzzling and obscure. If the payment of rates were corrupt, it was bribery under the existing law; and if it were not corrupt, it was not made so by this clause. If the clause were agreed to as proposed, it would follow that there might be payments made under certain circumstances on behalf of voters for the purpose of keeping their names on the register, that would not be corrupt. It would be much better to strike out the clause altogether. As to the Amendment, he was astonished that the hon. Baronet should make such a proposal.

Mr. DENMAN said, he had given notice of an Amendment to omit this clause, on two grounds — first that it was objectionable to multiply penal enactments when the law was sufficient as it stood; and, secondly, that there was a Committee now sitting on the subject of bribery, There would be very great difficulty in knowing the effect of the first three lines of the clause—

> "That any candidate or other person corruptly paying any rates for the purpose of endeavouring to have any person placed on the register as a voter."

According to the decision of the Courts of Law in a similar case, the word "corruptly" here would mean nothing at all, being quite otiose. Any act of the kind described, done wilfully, being contrary to the law, would, he believed, be held to be done "corruptly." As the effect would be very perplexing, it would be better to omit the clause, and he would therefore support the Amendment.

Mr. HEADLAM said, he had no doubt that the clause would be valuable, because it would enable a candidate to refuse wholesale applications which might be made to him for the payment of rates.

Mr. BRIGHT: I may remind the Committee that we have some experience from the action of the law telling us what we should do in this case. The custom in the borough with which I am acquainted is, that when the time for making out the lists for the new registration approaches, about the end of July, any active politician who may have reasons for taking an interest in the matter, goes to the overseer's office and looks over the list, where he sees the names of the persons who have a right to be put on the register, and whether any of them have omitted to pay their rates. Perhaps he finds a dozen whose rates have not been paid. He will pay the rates and clear the account, and he then goes to his friends and obtains the money from them. In such cases as those to which I refer, it is never done for bribery or any corrupt purpose, but to see whether anyone has been left out through inadvertence or neglect to pay the rate, and in the majority of cases the money is re-paid by the voter. [*Ironical cheers from* *the Ministerial side.*] Well, I am sorry to find that hon. Gentlemen do not appear to live in towns so respectable. There will no doubt be many more cases in which this will happen with the poorer class of voters; and I think it quite possible that in their case, too, a similar practice may take place, and that the rates may be paid to avoid the deprivation of the franchise, without anything being corruptly meant. The clause will not be of much avail, and I think may be applicable to cases where no corrupt practice is intended. I should be inclined to agree with the right hon. Gentleman the Member for Morpeth, that it would be better to have the matter considered in connection with a general Bill referring to bribery. In large towns there will be much less temptation to bribe for the purpose of getting hold of a few votes, as a few votes will be of much less value with the increased constituencies, and therefore the evil may be of less dimensions than some apprehend.

THE SOLICITOR GENERAL said, that for the purpose of getting on the register it was necessary that a man should pay his rates; and the question was, whether a candidate who paid the rates for a number of voters for the purpose of getting them on the register was paying corruptly. But if it were fair that a man should be punished for giving a small sum of money to a voter to induce him to poll, it could hardly be proper that he should be allowed to pay money for the purpose of putting a number of persons on the register.

MR. GLADSTONE: It would be great presumption in me to question the interpretation of the clause by the hon. and learned Gentleman, but I am not able, as at present advised, to read it in the sense in which he has described it. The hon. and learned Gentleman says the effect of this clause is to provide that no candidate who pays the rate on behalf of a number of voters shall be understood to have corruptly paid that rate. If that be so, it is quite clear that the word "corruptly" should be struck out from its present position, and inserted in a later part of the clause. We say that any candidate corruptly paying on behalf of a voter shall be guilty of bribery, implying directly, by the very same argument that the Attorney General used, that a man may pay the rate without paying it corruptly. I think some change in the wording of the clause is necessary, and should be very glad to know the precise addition which may be requisite to give force to the provision in cases where bribery is intended.

MR. BRETT said, he thought that the clause was necessary, and that it was also necessary that the word "corruptly" should be in it. The clause was necessary, because a person might pay the rates for the purpose of getting an occupier on the register without any intention of being repaid. They would all agree that such a payment would be corrupt. On the other hand, a person might pay a friend's rate in his absence, well knowing that his omission to do it himself was a pure inadvertence, and well knowing also that the money would be repaid him. It would be absurd to call that a corrupt payment, and yet if the clause or the word were omitted, it might be seriously called in question.

MR. CARDWELL said, that if they were agreed in their object, it should be expressed plainly and without ambiguity. They wanted to say that if any candidate came forward and paid rates for the purpose of securing the registration of a voter, the act should be considered corrupt. The clause as it stood did not express that by putting the word "corruptly" at the commencement, the clause encumbered the proof of the indictment with the proof of all that the word "corruptly" implied. The clause not only did not say what it meant, but said the very opposite of what it meant. He would, therefore, suggest the insertion of words providing that any candidate directly or indirectly paying any rate for the purpose of influencing the voter should be deemed guilty of corruption.

THE ATTORNEY GENERAL said, there were many things argued which, nevertheless, were perfectly clear, and this, he thought, was a case of that kind. The words suggested by the right hon. Gentleman could not be adopted, because a person might pay a rate for another as a friendly act, and in perfect good faith, knowing that he would be repaid. A judge or jury would have no difficulty in finding whether an act had been corruptly done or not, and although the right hon. Gentleman opposite (Mr. Gladstone) had asked for a definition of the term "corruptly," to introduce any such definition would only obscure what was otherwise perfectly clear. His hon. and learned Friend (Mr. Brett) had stated the reasons why such a clause was necessary, and he hoped the Committee would retain the clause in its present shape.

Mr. HENLEY said, he thought that the discussion which had taken place was proof sufficient that the meaning of the clause was not plain, and he thought it needed alteration. His hon. and learned Friend appeared to think that if the money were repaid it would not be corrupt, but that if it were not repaid it would be corrupt; but this seemed a singular distinction, as it would be absurd to hold that a person was guilty of bribery because he had given a poor neighbour half-a-crown to enable him to avoid a distress. He could not, however, vote for the Amendment, which would, he thought, open a wide door to corruption.

Mr. GATHORNE HARDY said, he could see no difficulty in the registration. The question of corrupt intention was in every case of bribery a matter of evidence, and for that reason it was absolutely necessary to insert the word "corruptly" in the present clause. There was no harm in the father or brother of a voter paying the rates for him; but there was the greatest possible harm in the case of a man paying a voter's rates under the pretence of lending him money, and in order to enable him to be put on the register. There was no Committee and no jury who would not say that such a proceeding was corrupt. Such a case, however, was one for a jury, and not for that House.

Mr. BONHAM-CARTER said, that the clause required a greater amount of consideration than in Committee of the whole House could be given to it. He thought that they should be careful that innocent payments were not brought within the operation of the clause; and that the clause, indeed, had better be withdrawn for the present and re-considered.

Mr. ROEBUCK wanted to know what mischief would happen if they left out the word "corruptly," and made it an offence for any person to pay the rates for another person in order that he might be put on the register. If the word "corruptly" were left out no one would be enabled to pay the rates of another.

Mr. DENMAN said, he wished to draw the attention of the Committee to the decision of the Judges in the case of "Cooper *v.* Slade," which showed that the word "corruptly" had no legal force.

Mr. KARSLAKE said, that the case referred to by the hon. and learned Gentleman had no application to the present matter. The word "corruptly" was not otiose, for there were cases where the rate might be legitimately paid for the purpose of enabling a voter to be on the register, such as cases where a man knowing that his friend had inadvertently omitted to pay, paid for him. This would surely not be corruption.

Mr. BAXTER said, he hoped the Government would adopt the suggestion of the right hon. Baronet (Sir George Grey).

Mr. AYRTON said, he thought the first part of the clause would be evaded by persons lending voters small sums to pay their rates with, while professing ignorance of what the money was wanted for. If the object of the Committee were to make it an offence to assist a man in getting on the register, they must adopt distinct words to that effect. The second part of the clause, declaring that to pay a rate for a voter to induce him to vote was bribery, was quite unnecessary, that being bribery already. He thought the best course was to strike the clause out.

Sir ROBERT COLLIER said, he must also concur in the opinion that the mere word "corruptly" was not sufficiently explicit.

Mr. SANDFORD said, he hoped that the Government would adhere to the clause, and not allow it to get into the hands of the Committee, as it was designed to insure the personal payment of rates, and also to protect candidates from being called on to pay rates. He thought also that it was advisable that the word "corruptly" should be retained.

Sir ROUNDELL PALMER said, he did not suppose that the hon. and learned Member for Sheffield intended to prohibit the payment of rates by a landlord where there was an agreement between him and his tenant to that effect.

Mr. ROEBUCK: I would prohibit that, if it were for the purpose of putting the tenant on the Parliamentary register.

Sir ROUNDELL PALMER said, that while he thought it was a fit and proper thing to prohibit the payment of a man's rates by a stranger, for the purpose of enabling him to be put upon the register, he could see no objection to an arrangement on the part of a landlord to pay his tenant's rates, even although it was contemplated that by such payment the tenant would be put upon the list of voters. He would therefore suggest the omission of the word "corruptly," and the adding of a proviso, that

"Nothing herein contained shall be held to prohibit the payment of rates by the landlord on behalf of his tenant pursuant to any agreement between them for that purpose."

MR. BANKS STANHOPE said, he thought that the clause should provide that the rates should not be paid by any person but the actual voter. In his opinion it would be difficult to say what was meant by the word "stranger."

SIR RAINALD KNIGHTLEY said, he did not wish to take any division on the word "corruptly," although it appeared to him to be the only valuable word in the clause. He should request the Chairman to put his Amendment, but he would not give the House the trouble of dividing.

VISCOUNT CRANBORNE said, he agreed with his hon. Friend that it would be undesirable to take the issue on the word "corruptly." He wished to know what was the meaning of the words "directly or indirectly?" If a man gave another money to pay his rate, it seemed to him that was directly paying the rate. To prevent the possibility of such a thing altogether was an absolute prohibition of every kind of charity.

MR. ROEBUCK said, the clause should run "for the purpose of putting him on the register."

VISCOUNT CRANBORNE: Were they going to limit the clause to those cases where it could be absolutely proved that money was paid for the express purpose of putting the man on the register? They knew that such a clause would be mere nonsense, and they had better strike it out of the Bill altogether. Candidates and electioneering agents were not born fools. If they intended to do a corrupt act, they would take care to do it in such a way as to evade the clause. He did not wish to make an Act of Parliament a laughing-stock, and after the explanation of his hon. Friend opposite he was still more inclined to object to his Amendment.

MR. DARBY GRIFFITH said, he should regret if the Amendment of the hon. Baronet (Sir Rainald Knightley) were withdrawn, as in that case the proposition of the hon. and learned Member for Sheffield could not be put to the House.

MR. ROEBUCK: I do not know, Sir, but that I may be a born fool—nevertheless, I have known cases in which people have been found out who have thought they have crept through Acts of Parliament. It seems to me that my proposition would make it clearly a matter of evidence whether a man's rates were paid for the purpose of putting him on the register, or whether it was merely for his own convenience. If a landlord in paying a tenant's rates tells him he does it to put the tenant on the register, it is quite clear what he does it for. I think the matter is quite clear, and that no one but a born fool could see any difficulty in it.

MR. GLADSTONE said, he was sorry that in consequence of the Amendment of the hon. Baronet the Member for Northamptonshire, the Committee was precluded from voting for the Amendment of the hon. and learned Member for Sheffield, because he (Mr. Gladstone) believed that that Amendment, coupled with such a proviso as had been suggested by his hon. and learned Friend the Member for Richmond, would bring the clause into a useful and practicable shape. The hon. and learned Gentleman opposite said the object of the clause was perfectly clear; but it was not at all clear to Gentlemen on that (the Opposition) side. He had previously put, and now repeated, this question:—What was the object of the Government in proposing that clause, and what was the Act that the present laws respecting bribery and corruption did not reach which was not now an offence, and which it was intended to constitute an offence by that Bill?

THE ATTORNEY GENERAL said, that that question had already been distinctly answered by his hon. and learned Friend the Member for Helston. The introduction of the word "corruptly" into the clause was perfectly intelligible and capable of a definite application; but if it was desired to make the payment of a man's rates by a stranger, whether an election was or was not imminent at the time, for the purpose of getting his name on the electoral register, a punishable act, the word "corruptly" might as well in that case be omitted.

MR. HENLEY said, he thought that if the clause passed in its present shape it would include within it a good deal that was not intended. If it was meant by the word "corruptly" that certain persons paid a man's rates not only to get his name put upon the register, but that he might thereby vote for those persons or according to their wishes, he could understand the corruption in that; but he confessed he could not clearly make out what was meant by the word "corruptly" if the rates were paid merely to get the man's name on the register, without any reference to what he was to do with his vote. All sorts of expenses were now undertaken to be paid by persons in order to get people upon the register; but he did not know that any charge of corruption had hitherto been alleged against that simple Act.

Mr. ROEBUCK said, he would give an illustration in order to put the case clearly to the right hon. Gentleman opposite. It was said that payment of the man's rates had nothing to do with how he was to vote, but was only intended to get him put on the register. Now, suppose he wanted to blow up a man, and gave another man a shilling to buy gunpowder for the purpose of doing it; there were two steps to one end, and that was exactly a parallel case to the one they were considering.

Mr. DARBY GRIFFITH said, it appeared that the hon. Baronet (Sir Rainald Knightley) would not withdraw his Amendment in order that he might prevent that of the hon. and learned Member for Sheffield from being put. He would ask whether that was a usual or a Parliamentary course to take?

Viscount MILTON said, that the whole gist of the matter turned upon the word "corruptly," and he would ask the Government why they so persistently stood by the word? Was the law inadequate to deal with corrupt practices, and was there any difficulty in finding them out? After the remarks of the Solicitor General he had come to the conclusion, that it was the intention of the hon. and learned Gentleman to do a good turn to solicitors in general, by leaving the word "corruptly" in the clause. Unless there was some private political reason for its retention he (Viscount Milton) did not see why it should not be struck out.

Amendment *negatived.*

Sir FRANCIS GOLDSMID proposed, at page 12, line 19, to omit the word "or," and insert "and any candidate or other person either directly or indirectly paying any rate on behalf of any voter." He said his object was to prevent such payments, or in case they were made, to render the parties making them liable to punishment.

The ATTORNEY GENERAL said, he had no objection to the Amendment. The Clause would stand thus: "By a candidate or other person directly or indirectly paying any rate for the purpose of inducing him to vote."

Amendment *agreed to.*

Mr. Henley

On Question, "That the Clause, as amended, stand part of the Bill,"

Mr. DENMAN said, he thought that, after the discussion which had taken place, he ought to press the Amendment of which he had given notice—namely, "that the Clause do not stand part of the Bill." Every line of the clause raised a doubt as to what its effect would be, and no satisfactory answers had been given to the questions put by hon. Members as to its meaning. He therefore begged to move that the clause be struck out.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 250; Noes 196: Majority 54.

Clause, as amended, *agreed to,* and ordered to stand part of the Bill.

Clause 37 (Members holding Offices of Profit from the Crown are not required to vacate their seats on Acceptance of other Offices).

Viscount AMBERLEY said, he rose to move a series of Amendments, verbal and otherwise, of which he had given notice—namely, in line 26 to leave out "thereafter duly elected as," and insert "being." In line 28, to leave out "any other," and insert "such," and also to leave out "of profit under the Crown." In line 30, to leave out "appointed to any office of profit under the Crown, and thereafter duly returned as," and insert "being;" and in lines 33 and 35, to leave out the word "other." The object of those Amendments was to abolish the practice of requiring the re-election of Members of that House, when they accepted office under the Crown.

Mr. AYRTON said, he had never heard a more mischievous proposition than that now proposed by the noble Lord, and he was sure the Committee would not assent to it. The ancient law was one of a most wholesome character, and was an admirable check on those Members of the House who accepted office by making them responsible to their constituencies. It prevented Gentlemen when they found themselves face to face with the Treasury bench from forgetting the conditions under which they came into the House. It was but right that when a Gentleman became a Member of the Government that he should go to his constituency and in the face of the country have his conduct ratified. The clause proposed by the Government was of a totally different character. It was immaterial after a man had joined a Government what office he held, and he (Mr. Ayrton) thought he might be able to change from one office to another without the trouble and inconvenience to the discharge of public business of his having to go down for re-election. If the words of the clause were limited to the object of relieving a Minister from this liability, it was not open to objection; but a proposal to free Members from vacating their seats on first taking office was a very different thing.

VISCOUNT AMBERLEY said, he hoped some Member of the Government would state what course they intended to take with reference to the Amendments?

THE CHANCELLOR OF THE EXCHEQUER said, that it was not through want of respect to the noble Lord that he had remained silent; but he thought some other Member was going to address the Committee. He regretted to be obliged to say that he was totally opposed to the proposition of the noble Lord. Even the limited proposal contained in the clause was not one to be adopted without hesitation. But, after consideration, the Committee would probably think that, upon the whole, those who were already in office, after receiving the favour of their Sovereign and the sanction of their constituents, should be allowed to exchange from one post to the other without interrupting the course of public business. That relaxation of the ancient rule had for some time been under the consideration of Parliament. There was a provision to that effect in the Bill of 1859; he rather thought it was also contained in the Bill of 1854, which had been brought in by an eminent relative of the noble Lord's, and after being long canvassed and considered it was now finally adopted, he believed, by public opinion. But he could not support any further extension of the principle.

MR. GLADSTONE said, he thought that the right hon. Gentleman had spoken on this subject in terms which were very considerate, and which at the same time expressed the true view of the case. The necessity of vacating a seat upon any interchange of offices was often inconvenient, and conferred no corresponding public advantage. As far as any check upon the Administration by the public was concerned, these changes were for the most part purely casual and accidental. The case, however, was entirely different at the time when an Administration first entered office. At such a time it was highly desirable that the public, through the medium of the constituencies, should have something to say as to the formation of that Government. But at other times these appeals to the constituencies were matter of accident, and were not governed by any principle. He knew that considerable difference of opinion prevailed upon the subject. In the first Session of the Reformed Parliament, he believed an effort was made by an hon. Gentleman much respected by the Whig party to give effect to the proposition of his noble Friend (Viscount Amberley), which was not viewed altogether with disfavour by the Administration of the day. Undoubtedly, however, the manifestation of Parliamentary feeling against the proposal was strong, and he agreed with those who thought that the check was a constitutional and a valuable check—one which, without vitally impeding the action of the executive, allowed the voice of the people to be heard at a time when it was eminently important that it should be heard. He trusted that his noble Friend would not think it necessary to invite the formal judgment of the Committee on his Amendment.

VISCOUNT AMBERLEY said, he would withdraw his Amendment.

MR. DARBY GRIFFITH said, he must express his surprise, that a clause embodying a principle of such vast importance should be consented to without discussion or question. The clause of the Bill of 1859 was not reached, and consequently not discussed; but when the proposition had been brought forward as a specific measure it had always been rejected by the House.

SIR GEORGE GREY said, the clause required some Amendments. As it was then drawn it might be construed that a defeated Government could again take office without re-election. It should be clearly limited to changes in the existing Government after the Members had been once re-elected.

THE SOLICITOR GENERAL said, he concurred in the view that the clause required alteration, and he would therefore propose the postponement of the clause with the view of introducing a new one.

Amendments, by leave, *withdrawn.*

Clause *postponed.*

Clause 38 (Provision in case of Separate Registers) *postponed.*

Clause 39 (Temporary Provisions consequent on Formation of new Boroughs) *agreed to.*

Clause 40 (General Saving Clause).

THE CHANCELLOR OF THE EXCHEQUER said, there were several Amendments intended to be moved on this clause, and, therefore, he should now move that the Chairman report progress.

SIR ROUNDELL PALMER said, it might be useful with respect to the labours of the Committee when they resumed, if he pointed out to the Government that this clause as it stood, and especially the latter part of it which applied to the preservation of all existing laws, customs, and enactments, merely applied to the new constituencies, which were now for the first time to receive Members under this Act, and that if they were intended to apply to new voters generally, the words were wholly inefficient for that purpose. He also observed in the Bill a singular omission, which it was probably thought would be covered by this clause, but that certainly would not be the case. The Bill did not repeat the provision contained in the first Reform Bill, that persons in the receipt of Poor Law relief should not be entitled to vote.

MR. CARDWELL said, he also noticed an omission which he had pointed out to the hon. and learned Gentleman opposite, and which he believed it was intended to remedy. Clause 78 of the Reform Act provided that nothing contained in it should extend to or affect Members for the Universities, or should entitle any one to vote for the City of Oxford or the town of Cambridge in respect of a qualification connected with the Universities. He supposed it was intended to extend that provision to the new voters, but it was not so as the Bill now stood.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION (SCOTLAND).

OBSERVATIONS.

MR. GRANT DUFF: The labours of the Commission, to which I wish to call attention this evening, have been watched with very great interest in Scotland; a fact which need not surprise us, if we remember that that country has owed to the comparatively wide diffusion of education amongst its people, very much of the prosperity which it has enjoyed. Many Scotchmen believe—and I confess to be one of the number—that if our educational system, higher, secondary, and elementary, could be put on a thoroughly satisfactory footing, it would do more to increase that prosperity than any other change which is in the power of Parliament. Hon. Members cannot too constantly bear in mind that the whole feeling about education is quite different in Scotland from what it is in England. Here, the strong movement in favour of the education of the whole people dates, certainly, not further back than the earlier part of this century. In Scotland it is, at least, as old as the Reformation. Here, the education of the people is chiefly looked after by benevolent persons and societies. In Scotland it is a matter of legal right and legal obligation. Here, the idea of an education rate is new and strange. With us, it is as familiar as any other form of tax, infinitely more familiar than the poor's rate, which is in the north quite of recent introduction. Denominational education on a large scale is in Scotland hardly thirty years old, and since 1861 we have no tests in our parochial schools any more than in our Universities. There is another thing which should be borne in mind, and that is that this question of Scotch education is to the last degree urgent. Ever since the introduction of the Revised Code in England, and its partial introduction in Scotland, so great an expectation of change has been excited, that everything has been in confusion, and this state of things will continue until Parliament gives us to understand, once for all, how far the ardent aspirations of the country for a national system of education are to be gratified. As it is, the Revised Code will, as a temporary measure, have immediately to be suspended in Scotland for another year, and if we have not legislation next Session it will be a great disappointment and misfortune. This Commission was appointed in 1864, and its instructions empowered it to inquire into the whole field of education below the universities. It covered, accordingly, the same ground as the English Commissions which reported in 1861 and 1864, as well as that presided over by Lord Taunton, the report of which, surely too long delayed, so many are awaiting with impatience. Inasmuch, however, as the number of schools which correspond to the middle class schools of England is, on the other side of the Tweed, not very numerous, and a class of schools corresponding to the nine public schools which were investigated by Lord Clarendon's Commission does not exist, the greatest amount of public interest gathers round the Report of the Commission on the elementary schools; and all that they have to say upon this subject is already in our hands. The Commission was very numerous, consisting of no less than eighteen persons, selected by my right hon. Friend the Member for Edinburgh with much judgment, including a distinguished Member of the present Government, two Conservative ex-Lord-Advocates, and a well-known Conservative peer. The Commissioners got to work in November 1864, and their first proceeding was to examine a large number of witnesses, so as to collect the general views prevailing in the Scotch public mind as to the state of the schools, and the best means of increasing their efficiency. They also obtained answers to written questions. The report of the oral evidence was laid before us in March 1865; the answers to the written questions were put on the table this Session. This preliminary examination satisfied the Commission that there was in Scotland a very general feeling in favour of a National system, but much difference of opinion, and, indeed, much absence of accurate information with respect to the actual state of the schools. They accordingly directed that schedules should be prepared and addressed to the registrars of births, deaths, and marriages, throughout Scotland, who were directed to call with their schedules filled up upon the ministers of the denominations most nearly connected with the various schools, and to request them to sign the schedules if they agreed with the statements made. Copies of the schedules were also sent to the ministers of the various leading denominations to be returned by them filled up according to their own views in case they did not agree with the registrars. In this way, most accurate statistics have been obtained with regard to the number of children attending school in the rural parishes and the smaller towns; for the registrars of the large towns, such as Glasgow and Edinburgh, declined to undertake the task of having the schedules filled up. This omission was supplied by a special inquiry as to Glasgow. All the statistics collected are now before Parliament, and I will, with the permission of the House, read a portion of the passage in which the Commissioners sum up the results—

> "According to the Census of 1861, the population of Scotland was 3,062,294. The returns which we obtained from the registrars, in the manner just described, embrace a population of 2,050,024, which may be taken to comprehend the whole of the rural population; while the remaining 1,012,270 comprehend the whole of the burghal population. Provision, however, was afterwards made for a complete investigation of the schools in Glasgow, with a population of 395,503; so that the only part of the population from which no returns were received is 616,767. The result is that, either through the registrars or the Glasgow Assistant Commissioners, information has been obtained as to the educational condition of four-fifths of the people of Scotland."

The returns thus obtained by the registrars will be found full of the most important and interesting information. The general result of the state of education in Scotland is that a proportion of 1 in 6·5 of the whole population is upon the roll of scholars, and 1 in 7·9 in attendance, a ratio which, if taken by itself, is not unsatisfactory. But when we come to the detail of the different counties, which will be found in the appendix, it will be seen that the ratio in individual parishes is much more unsatisfactory, varying from 1 in 4 to 1 in 15, 20, 25, and even 30. In short, it does not appear that the percentage overhead gives anything like a satisfactory indication of the real state of education in particular localities. In regard to the religious, or rather the denominational question, the returns present a remarkable and very satisfactory result. They show that the distinction of denominations in Scotland has a very limited effect indeed in determining the attendance of children upon particular schools. Thus, out of 87,000 scholars in the parochial or national schools, which are of course connected with the Established Church of Scotland, only 53,000 belong to that Church; out of 33,000 scholars in denominational schools in connection with the Established Church, the so-called General Assembly schools, only 18,000 belong to that Church; out of 48,000 scholars in Free Church schools, only 28,000 are Free Church children; out of 6,200 scholars in Episcopalian schools, only 1,929 are Episcoplian. The vast majority are Presbyterians. It is a remarkable fact that out of 12,000 Roman

Catholic children at school in the rural districts of Scotland, a majority are in Presbyterian schools, and I am proud to say that their conscientious scruples are protected by the direct and positive injunctions of the Presbyterian Churches. Details as to this, on which a Scotchman has a right, I think, to claim some credit for his country, will be found by Roman Catholic Members of this House at page 30 of the Report. At this stage of their inquiry, the Commissioners seem to have thought themselves justified in coming to the conclusion that things were, as we say in the north, "nae that ill," more especially as they had now sufficient information before them to be persuaded that the situation of the school and the merits of the teacher weigh much more with parents in Scotland than mere religious differences. Much, however, had to be done before they could make a satisfactory report. They knew all about the number of the schools and the scholars, little about the character of either. They had full information about quantities, they had now to ascertain qualities. They appointed accordingly five assistant Commissioners to examine into the education actually given in the three great divisions of the population, which had to be dealt with as entirely distinct, and they seem in the choice of these gentlemen to have been almost as fortunate as in their secretary. They sent Mr. Sellar and Colonel Maxwell to examine the Lowland parishes; Mr. Harvey and Mr. Greig to analyze the educational state of Glasgow; and Mr. Nicolson to examine the Highlands and Islands. Further, they obtained the assistance of Mr. Fraser, who was directed to report upon the state of education in the United States and Canada, as well to their as to Lord Taunton's Commission. All the reports of these assistant Commissioners can now be had on application by Members. They are all characterized by great ability, and there is none of them from which those who are interested in education can possibly fail to learn a great deal. I suppose that, to Englishmen, the most directly interesting will be the one on Glasgow, and Mr. Fraser's American report, bearing, as they do, so much upon problems which are of such vast importance in the most populous part of the island. The report of Mr. Sellar and his Colleague will be most widely read in Scotland, because it applies to so wide a portion of the surface of the country; and the report of Mr. Nicolson, although it describes a state of society and conditions of life widely different from those with which persons who study educational questions have generally to deal, brings to light so much that is curious, and is so racy, that it cannot fail to obtain many readers. Some hon. Members might even do worse than to take it with them when the 12th of August summons them from discussing Reform to more agreeable occupations. The general result of the qualitative analysis, so to speak, made by the assistant Commissioners is much less satisfactory than the quantitative analysis of the registrar's returns. The number of children attending some schools is about as large as we could wish; the number of children attending efficient schools is quite another thing. We have in Scotland, as in most other countries, a class of persons who are very fond of beating the patriotic big drum, and who believe that all is as it ought to be in that portion of the earth's surface which happens to have been blessed by their nativity. Some of such have, I see, been rejoicing greatly over the number who attend our schools. It would be better to postpone that kind of thing, which is foolishness at the best, till we have found efficient schooling for the children who are not yet provided for as they ought to be. There are 92,000 children of the school age who are not on the roll of any school. There are very many more who are not on attendance on any efficient school. As to the wonderful dens that are reckoned as schools side by side with first-rate institutions, Mr. Harvey and Mr. Nicolson give abundant, and often very amusing, illustrations. Now then, Sir, for the general result of the qualitative analysis of the three great divisions I have mentioned. Mr. Sellar and his Colleague sum up their interesting and elaborate report in the following words:—

> "The defects in the present system are, want of organization, want of supervision by some competent central authority powerful enough to make its influence felt by every individual connected with it, and want of thoroughness in the matter of teaching. Those defects can only be cured by wide, vigorous, and careful legislation. The re-organization of the schools in Scotland, and the erection of new schools wherever they are wanted, is not a task to be undertaken unadvisedly. But the task must be undertaken and carried through, if the machinery is ever to be effective.
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> "At present, there is no competent authority to initiate, to administer, or to superintend. Schools spring up where they are not required, and there are no schools where they are required. The school apparatus may be adequate, or there

may not be a bench to write at, or a black board, or map, throughout the length and breadth of a whole district. The teachers may be good, or they may be utterly incompetent; they may be wealthy men, or they may be starving. They may be under official supervision, or the entire management of the schools may devolve upon themselves, and they may be responsible to no one. The children may attend school or they may not attend, but grow up in absolute ignorance. All these evils are due to want of organization, and suggest the necessity of some central authority to regulate the education of the country.

"Centralization implies a national system, and when a central board, with the supreme control of education, is established, there is an end of all denominational and miscellaneous systems. And is there any reason why the education of a great country should be kept in an unsatisfactory state, because the clergy and the people are split up into religious sects, who, though they differ in some respects, are at one upon the necessity of education? The country, so far as we could learn from the counties and parishes visited, is all but unanimous in answering that there is no reason. People of every class, and of every religious denomination, are agreed that Scotland is fully ripe for a national system. Parents of all denominations send their children indiscriminately to schools belonging to different denominations than their own, knowing well that, in doctrine and system, the religious instruction in schools of one denomination does not differ from that given in schools of another, the Roman Catholic schools alone excepted. There is no reason, on religious grounds, why there should not be a national system, and there can be no reason upon any other ground. The small minority who might oppose it consists of a fraction of the present local managers of some of the schools. But the interest of those attending school is of more importance than the wishes or fears of the managers, and nothing thorough can be accomplished except upon some universal plan, which must go beyond the present state of things."

Quite similar is the result of the Glasgow investigation: much is being done. Great sacrifices are made, but the outcome of the whole is unsatisfactory. The want of organization is everywhere visible. There is no directing hand, no means of wielding educational appliances for the best interests of education. There is also urgent need for greatly increased school accommodation. At page 130 of Mr. Harvey's report, we read—

"In a sentence, while the accommodation exceeds by a trifling surplusage the number of children at school, yet were the number of children attending school who ought to be there, the supply would fall short of the demand by 61,973 sittings, or about two-thirds of the whole."

Just the same complaints come from the Hebrides—want of organization and uniformity, want of control and supervision, complicated of course by all the evils of extreme poverty, a rude climate, vast distances, stormy seas, and a foreign language. Mr. Sellar's report contains a succinct but extremely clear account of the Scotch Parochial Schools, which, as being unlike anything in England, have often excited the attention of educational reformers in this country, and which, before the Privy Council system was started, gave the poorer classes in Scotland so great an advantage in the race of life over their equals in other parts of the United Kingdom. It will be in the recollection of the House that these schools are supported by an assessment on the land, which is paid by the landlord, who has the right of being relieved by his tenant to the extent of one-half, and are quite independent of voluntary contributions. Their action is supplemented by side schools, as they are called, which are schools of an inferior kind, maintained by the landowners in extensive parishes, where more than one school is required, under an Act of 1803. The Parliamentary Schools, as they are named, which form the third portion of our old national system, as I may call it by distinction from the denominational system which has grown up beside it, were established under an Act of the 1st and 2d of the Queen, c. 87, and are found in the Highlands and Islands. There are only seven-and-twenty in all, so they are not very important. Mr. Sellar found the Parochial Schools in the Lowlands good on the whole, especially in those districts which enjoy the advantages of the Dick Bequest, one of the most happily imagined and best administered charities which could be mentioned. The goodness, however, was rather unequally distributed over the country; and, above all, the number of their Parochial Schools is altogether too small for the wants of the country. The chief supplemental agencies in the Lowlands are the General Assembly's schools in connection with the Established Church, educating fairly some 33,000 children, and the Free Church schools, educating nearly 49,000 children about as well as the Parochial Schools — in some reports a little better, in some a little worse—but doing this at the cost of a very serious drain on the resources of its adherents, whose pecuniary sacrifices in other ways have been, as all men know, so remarkable. A third supplementary agency is found in the schools of the Christian Knowledge Society, which are connected with the Established Church, but are fewer and less important. The Episcopalian and Roman

Catholic schools are few, comparatively, in number—seventy-four of the first in the rural districts throughout Scotland, and sixty-one of the latter. There are also certain not very numerous subscription schools, amongst which the ironwork and colliery schools would seem to be good, as also the schools supported by the ministers and proprietors in different districts. The adventure schools are usually good for nothing, and would seem, as a rule, to do more harm than good. In the large towns we have no parochial schools. Sessional schools, as they are called, supply their place, and it is generally in the towns that the various denominations put forth their strength. It is in the towns that they do most good, and it is in the towns that the spectator is most struck with the frightful waste of power which the denominational system involves. I will not go into a description of the various educational agencies, either in Glasgow and the other towns or in the Hebrides, because, although there are wide differences between them and the educational agencies in the rural parishes of the Lowlands, yet there is a sufficient amount of parallelism between the three to make what I am about to say intelligible, without going into details, and the mass of information put before us by this Commission is so great, that any one who attempts to give the House anything like a sketch of it ought to retrench, as I shall try to do, every superfluous word. The general outcome of a survey of Scotch elementary education is then this:—We have a system which was meant by its founders to be a national one, but which, partly the changes of a religious opinion in Scotland, but above all, the growth of the population, have rubbed off its national character. This system works pretty well so far as it extends, but it does not nearly suffice for the wants of the country. Side by side with it has grown up a denominational system, which does much to supplement its action, but does not do anything like all that is wanted, and, from the very fact of being denominational, cannot do what it does in the best way. How, then, are we to make these two systems co-extensive with the wants of the country? Are we to let things remain as they are? Public opinion would not permit us to do so, even if we would. The necessity to act is great and pressing. We must have a national system before very long. Now, what is a national system? I answer in the words of the Commission—

"1. A national system implies that there shall be some recognised body invested with legal power to establish as many national schools as may be required, and to prevent the establishment of more.

"2. A national system implies that the law should enable the inhabitants of a district to raise by taxation such funds as may be necessary to erect and maintain schools, instead of leaving them to be erected and maintained by voluntary efforts.

"3. A national system implies that the schools shall be public and national; or, in other words, that every parent shall be entitled to claim admittance for his child into any such school, but that, if he objects on religious grounds to any part of the instruction, his objection shall be respected."

Are we, then, by Act of Parliament forthwith to introduce a perfect national system? Are we to buy up the denominational schools, and put them, the Parliamentary and side schools, with all the rest, upon the rates, have them managed by local Committees under the direction of a central board, and take for our motto, 'United secular, separate religious education?' I confess that my own mind very much inclines to the energetic simplicity of that plan. In theory, I hold with the system of the American common schools, or with the nearly related system of Holland, as laid down in the School Law of 1857, the work of great men whose small reputation beyond the limits of their own country shows how much more important in attracting the attention of mankind the pedestal often is, than the statue which stands upon it. It is not, however, a question of decreeing, by the waving of a magic wand, the best imaginable system. The question before us is, what is to be done in the present state of the public mind? I look, however, to the last page of the Report of this Scotch Commission, and there I find attached to proposals, which are far indeed from meeting my views as to what would be abstractedly best, but which would, if carried into effect, produce, not, I think, so great, but still a very great, nay, an enormous improvement upon the present state of things, the names of no less than eighteen persons, all more or less representative men, and belonging to the most diverse sections of opinion. Their agreement leads one to hope that they have really hit upon a plan which will be generally accepted, at all events, by the vast majority of the laity, by large sections of the clergy, and, above all, by those who, having children of the school age, are most directly interested in the matter. What a reasonable man should fight for is to get the people educated somehow—not to obtain a triumph for his own pet theory. The plan of the Commissioners is, not to create a national system out of hand, but to set on foot a process of change which, in not very many years, will give us a national system, and this is the way in which they mean to set about it. First, they propose to leave the parochial, Parliamentary, and side schools pretty much as they are, changing their name, however, and calling them "Old National Schools." Next, they propose to create a Board of Education, which is to have the power of establishing new schools in all localities where they are wanted, to be called "New National Schools," and to be managed by local school Committees; and thirdly, they propose that all the existing denominational schools, not found to be superfluous for their district, which wish to continue to have a share in the Privy Council grants, shall be obliged, within a certain time, to connect themselves with the Board of Education, which will have the power to see that the master is efficient, and that the school buildings are kept in proper repair, retaining their old denominational management for other purposes, as long as the denomination with which they are connected chooses to supply all the funds necessary, except those which are supplied by the Privy Council grant. These will be called "Adopted National Schools." The House will see that the type to which it is proposed to assimilate all the Scotch elementary schools is that of the "New National Schools," and a machinery is provided by which the first and the third, the "Old National Schools" and the "Adopted National Schools" can be turned into "New National Schools," if the heritors in the one case, and the managers in the other, think it expedient. The proposed Board of Education, it should be carefully observed, is to have purely local powers. Its duties will be confined to seeing that every district is properly supplied with schools, that these schools are maintained as they ought to be, and that the teacher does his duty. The Committee of Council will continue to administer the Parliamentary grant, and to inspect the schools. The privilege of adoption is not to be given to any denominational school which shall not be in existence within two years after the passing of the Act, by which, it is hoped, the new scheme may be carried out, so that it may well be hoped that, within a decade or two, the number of denominational schools may bear quite an insignificant proportion to the national ones. From the very first, these features will be found in every "Old National School," "New National School," or "Adopted National School"—that is, in all schools aided by the Parliamentary grant administered by the Privy Council:—1. They will be visited by an inspector once every year. 2. The inspector may enter and inspect any school to which he may be sent, whatever may be his religious denomination, but he may not examine in religious knowledge unless requested to do so by a majority of the managers. That will be a very great saving of expense to the public, a matter with regard to which some most curious evidence was given by Mr. Lingen. 3. Every National school shall be open to scholars of all denominations, but it shall be declared by statute that any scholars may be withdrawn from any instruction to which his parents may, on religious grounds, object. That will consecrate a great principle, more familiar to the clergy of Scotland, to their honour be it spoken, than to some of those of England. To us in Scotland the idea of there being anything to stumble at in a conscience clause is simply incomprehensible. 4. All National schools will be subject to the Revised Code modified in the manner to which I shall presently refer. That will secure efficiency in the teaching of those humbler departments of knowledge which the State is first of all bound to see to, and, when these are secured, I am sure that means will be found to keep up the honourable ambition of teaching the higher branches which has long distinguished some of the Scotch country schools. I see some of the critics of the report say that this plan of theirs is a compromise which will satisfy nobody. Well, I ask, when did a compromise on any great subject ever satisfy anybody who really cared much about the matters in dispute? Such a compromise, Sir, never satisfies anybody except the great unconcerned careless mass. But in politics that great unconcerned careless mass is simply omnipotent. It lazily inclines to one side or the other, and so, as has been truly said, finally settles all questions. The one reason that makes in favour of adopting the denominational schools which we require, instead of buying them out and out, is the great expense that we should be involved in by this latter operation. There are nearly 1,500 of these schools which derive aid from the Parliamentary grant, and the sum annually contributed towards their maintenance by voluntary subscribers is £42,000. These 1,500 schools form, be it observed, merely a portion of the whole mass of denominational schools. There are 2,408 schools in the rural districts alone, supported by denominational or individual effort, so that the public, if it is first to acquire these schools, and then to keep them up, is entering upon a very large operation indeed. If the country is prepared for this, by all means let us do it—it would be a far simpler and better plan than the one which the Commissioners propose; but is the country prepared for it? To elicit a reply to that question is one of my motives for bringing forward this subject to-night. The question now arises, would the amount of rate required to supply elementary education to all that portion of the population which needs it be anything very enormous? The Commissioners, after entering into a very careful calculation of the existing educational resources, and of what would be wanted, come to the conclusion that, even if the voluntary subscriptions were quite to cease, which they will not do, the required number of efficient schools and teachers may be provided by levying a maximum rate of 2*d.* in the pound in rural districts and in most of the towns, and of 2½*d.* in Glasgow, the Western Isles, and some of the largest towns. That is, of course, in addition to the sum now raised by assessment on the heritors, which amount at present to nearly £48,000 a year. For a nation which owes so much to education as Scotland, the additional effort required to bear a rate of 2*d.* or 2½*d.* in the pound would not appear to be one of a very deadly character. The Commissioners, it must be remembered, have not merely drawn up resolutions, but have proposed a draft bill, which seems to me quite sufficient for its purpose, and which I and, I think, other Scotch Members, whose views, be it observed, are not by any means fully carried out by the Bill, would, nevertheless, most cordially support, if brought in as it stands. Amendments in detail could easily be made. I have now, Sir, tried to make as clear as I could to the House the broad general results of the Commissioners' investigations, and the outlines of the plan by which they propose to remedy the existing evils and imperfections. There are, however, certain other matters which create great interest in Scotland, as to which they have made recommendations, and of them I wish to say something, chiefly with a view to call out the opinions of other Members, for which I know the Government is very anxious. First, there is the tenure by which the parochial schoolmasters now hold their offices—*ad vitam aut culpam.* The effect of this tenure is that it is the most difficult thing in the world to get rid of an inefficient schoolmaster. The Commissioners propose that this tenure should be abolished in all future appointments, and that, subject to the approval of the Board of Education, facilities should be afforded for getting rid of inefficient schoolmasters now in office, great care of course being taken to do nothing harsh or capricious. This proposal will naturally cause some dissatisfaction amongst the persons likely to be affected by it, but no good schoolmaster can possibly be injured, and there is no reason why the advantage of the rising generation should be sacrificed to the comfort of bad schoolmasters. Care and central authority are the necessary safeguards. Secondly, there is the question of the Revised Code. All Members connected with Scotland, and some who are not, must be aware of the fact that the Revised Code has been only partially introduced into Scotland. The Commissioners had to consider whether it was to be introduced in its entirety, and if not, how it should be modified. Into these questions they go at great length, and arrive at the conclusion that the leading principle of the Revised Code, payment by results, as ascertained by individual examination, has, so far as it has been tried, worked well in Scotland, and ought to be finally adopted, with certain modifications. The chief of these is the omission of Article 4, which excludes children who belong to a class above that which supports itself by manual labour, from earning any of the Parliamentary grant for their school. I think all who are acquainted with Scotland will agree that here the Commissioners are right. In that country, as in America, the idea of a common school struck deep root generations ago, and it must not be forgotten that, for now nearly 200 years, the proprietors in Scotland, in the rural districts, have been taxed for the support of the elementary schools. No peculiar privilege is claimed for Scotland; it is only the essential difference between the system of the South and the North which is recognised. Here, the Privy Council aids voluntary efforts; beyond the border it aids a compulsory local taxation, which the Commissioners propose largely to increase. One of the complaints commonly made against the Revised Code is that its tendency is to discourage the teaching of the higher branches. I am happy to say that we have in this Report some important evidence the other way. "Of the higher branches, as they are styled, of middle class education," says Mr. Scougall, "it may be stated as a general rule that they are found in the best condition in those schools that, all circumstances considered, pass the individual examination most creditably." Mr. Sellar's 6th chapter is full of intelligent observation on the effect of the Revised Code on the higher studies, and he mentions a suggestion which seems to me extremely worthy of being followed up—namely, to re-organize the schools in such a manner that, in every district, there should be one school of a superior kind established, which should be intermediate between the National schools and the Universities. I would add that deserving teachers might be promoted to be teachers in these schools, and a system of exhibitions might be created, which might help the more deserving children to continue at these schools till they could compete for bursaries at the Universities. I hope the Commons will consider this subject when they are dealing, as they must immediately deal, with the middle or secondary schools, which are, as I have said, also included in their Commission. Of course the higher you can make the education in your elementary schools, consistently with securing its universality, so much the better; but it is obvious that the necessity of the parochial schools giving a high education is, in these days of easy communication, far smaller than it was. Thirdly, there is the retention of the whole management of the parochial or "Old National Schools" in the hands of the minister and heritors. I confess that a somewhat more popular system of election, say Mr. A. Black's, or something of that sort, letting in the tenants and small proprietors, would seem to me better; but, if this is an essential part of the compromise, I would not wish to interfere with it. Fourthly, there is the change in the law which is proposed to enable the Board to make heritors maintain school buildings in proper repair. That is reasonable, and the largely representative character of the Board will prevent the power being abused. Fifthly, there is the constitution of the central Board. Is it to be, as proposed, largely representative, or is it to be entirely nominated? I incline decidedly to the former opinion; but the matter is, of course, worth discussion. Sixthly, should the schoolmasters be examined as the parochial schoolmasters now are, by the University examiners, after appointment; or, as the Commissioners recommend, before appointment? I have received from a very distinguished Scotch professor a letter pointing out some objections to the latter plan, and should like to hear it discussed. It seems to me the change proposed would lead eventually to the system which, I think, prevails in Holland — the appointment of teachers by competitive examinations. I do not see any harm in that; but probably it was not intended. Much valuable evidence has been collected as to the period at which children should begin to attend school, and as to the earliest age at which they can with propriety leave it. The importance of this subject is, as the Commissioners observe, very great, because any attempt at school legislation must fail, if legislators do not take into account the period of life which can be spared for educational purposes without requiring too great sacrifices. It is found that education begins later in Scotland than in England, although somewhat earlier than it used to do, and the tendency to begin betimes is increasing. It is found, likewise, that, as children go sooner to school, so also they leave it sooner; and the more the schools are improved — the quicker, that is, that the children acquire the rudiments of knowledge — the sooner are they taken away. If our system is to be universal, we must not aim at too much, and it will be well, perhaps, to contemplate the removal of the children of the labouring class from school between ten and twelve years of age. It seems to be pretty well ascertained that, at ten years old, an ordinary child will be able to spell common words correctly, be able to write an intelligible letter, to read the newspapers, and to make out or test a shop bill. In connection with this subject the Commissioners express their opinion that we ought to have more infant schools in Scotland, where such institutions are rarer than in England. They think also that night schools should be encouraged, and that the rule of the Committee of Council which obliges night schools, if they would be assisted, to be in connection with day schools, ought to be relaxed. Supposing, however, additional facilities for educating the poorest class are given, will parents avail themselves of them? The Commissioners say "Yes;" and they point out that there is not now sufficient accommodation in efficient schools for all the children who are in attendance at establishments, all of which are called by courtesy, schools. Mr. Mitchell, a very experienced inspector, observed some years ago with reference to the complaint of the indifference of parents to the education of their children—

> "When I look at the actual instruction too frequently offered in the schools for the working classes, I can only rejoice that parents are so sensible, for more complete waste of time than one too frequently grieves over in these schools it is hardly possible to imagine."

It is very gratifying to observe that the more efficient a school is, the more do the parents at least generally show themselves inclined to avail themselves of it. Of course, however, there is a large residuum, with which it is very difficult to deal, and this leads the Commissioners to discuss the question of compulsory education. They do not, nevertheless, make any definite recommendation upon that subject, thinking that it would be premature to do so until a sufficient number of efficient schools is in operation. They collect, however, a good deal of information with regard to the necessity of extending the application of the educational clauses of the Factory Acts, and show, amongst other things, the scandalous manner in which the Printworks Act and the Mines' Inspection Act are evaded. It would be well if the attention of the Lord Advocate were directed to the last few pages of the fifth chapter of this Report, and means taken to bring to justice some of the fraudulent persons therein alluded to. It is evident from many passages in Mr. Harvey's report on Glasgow, that the application of a very stringent educational test to children seeking employment would be warmly supported in many quarters. It would be felt as a severe provision only by a class on which the Legislature need not look too leniently—the class which habitually neglects its own children. The Privy Council system fails, it is often remarked, in reaching the most destitute districts. Of course, in a country whose wealth is so unequally distributed over the soil, as in Scotland, this comes out very prominently. Thus in the rural districts of Edinburgh, where the valuation is about £8 per head, nearly half the children at school are in schools aided by the Privy Council, while in Shetland, where the valuation is about £1 per head, the number of children in aided schools is only 10 per cent. Again, in Glasgow, and the other great towns, this discrepancy is very striking comparatively. Out of 300,000 population on the north side of Glasgow, 25 per cent are on the roll of aided schools; while out of 82,000 on the poorer south side, there are only 10 per cent in aided schools. The notion of extending the Privy Council system so as to make it commensurate with the wants of the country, was abandoned by the Commissioners as utterly hopeless and impracticable; and it must be remembered that in the destitute districts of Scotland, especially in the Hebrides, the subscriptions are very exceptionably large and liberal. If, Sir, we can arrive at some agreement about a national system for Scotland, either by adopting the plan of the Commissioners, or any more liberal modification of it, this Parliament will deserve long to be remembered in the northern part of this kingdom. Next year, I presume, our burgh schools, and, perhaps, the great endowments like Heriot's and Donaldson's Hospitals, will be reported on, and I trust some plan may be arrived at, which, while it will have no tendency to raise mere average ability out of the sphere in which it is born, may give every boy of really superior ability, even if born in the depths of poverty, in every National school in Scotland, an opportunity of pushing his way from one grade of education to another, aided by the State, so that the country may not lose the chance of the services, in some form or other, of whatever talent is produced within her borders. Depend upon it, that, in the increasingly close competition between civilized nations, we shall need it all. In connection with our burgh schools, very important questions will arise as to modifications of the system of studies pursued in them. I venture to prophesy that many of these schools will be found doing the work which they profess to do very effectively indeed; but I venture also to express an opinion, which I have often expressed before, that the whole scope of our secondary teaching, both Scotch and English, requires to be re-considered. When Parliament has put our elementary and our burgh schools on a proper footing, it will be time to call its attention to the position of our Universities, which was recently laid before the noble Lord at the head of Her Majesty's Government, by the Duke of Buccleuch, my right hon. Friend the Member for Edinburgh, and a very large number of persons of all shades of politics, who, while they pointed out to him that much was being done for our Universities by private efforts, and much more was likely to be done in the same way, also showed very clearly that justice and policy alike required that a further contribution should be made by the State to the endowments of our professorships. At present, however, Sir, we are asking for no assistance, except assistance in the task of enabling us largely to tax ourselves. I trust that, before this discussion closes, hon. Members from Scotland will show that they are perfectly prepared to do this, and I will only say, in conclusion, that I hope Her Majesty's Government will tell us that it fully recognizes the great importance, and, above all, the urgency of this matter. I beg to ask the noble Lord opposite the question of which I have given him notice.

Lord ROBERT MONTAGU was sorry he was unable to give a very precise answer to that question. The Report of the Scotch Education Commissioners had not been upon the table of the House a month; it consisted of eight octavo volumes, besides a volume of statistics. Considering the extreme importance of the question, involving, as it did, not only the destinies of Scotland, but probably those of England also (for the Report of the Commissioners was intimately connected with the Education Bill for England, now before the House);—considering the voluminous nature of the Report, the numerous subjects engaging the attention of the Government during the turmoil of the Session, and the difficulties of the Reform Bill—it was too much to expect that the Government could in one month maturely weigh that important and intricate question of Scotch Education. It would be treating the momentous subject too lightly, it would be villipending the talent shown in the Report, and esteeming too little the character and weight of the Commissioners who made it if the Government presumed to form an opinion upon the matter as early as this. It would be better if the hon. Member would let the matter rest at present instead of pressing for immediate legislation, and remain content with the promise that during the comparative quiet of the winter months the Government would most earnestly consider the whole subject, and endeavour as far as possible to meet the views of the Scotch Members and Scotch people. The Government, however, was naturally anxious to ascertain the opinion of Scotch Members upon the subject, which they could learn only by discussion in the House; and by that means also the opinion of the country would be ascertained. People did not study blue books; but they read the debates in Parliament, and a debate on the subject might lead to discussion and the formation of a definite opinion out of doors. He prefaced his consideration of the observations of the hon. Member by saying that it was in no captious spirit that he endeavoured to expose the weak points of the scheme; he did not desire to carp at the Report, although he would mention a few *primâ facie* objections which a cursory perusal of it had raised in his mind. He did so in order that the friends of the hon. Member might seek to remove the objections and correct any misapprehensions which might exist; thus would the Government be assisted and guided in arriving at sound conclusions on the subject. The scheme of the Commissioners was doubtless very captivating on account of its beautiful symmetry and rigid uniformity. "Organization" and "Energetic simplicity" seemed to have a charm for the hon. Member's mind. Education in Scotland on the other hand was most heterogeneous; elementary and advanced teaching were carried on in the same school; primary and secondary schools were jumbled together; spelling and pothooks were being studied at the same desk with the poets Horace and Homer. It was no wonder if the Commissioners, carried away by a desire for symmetry, should have been led to sacrifice at the shrine of that sentiment some real and substantial good which now existed. There was, he confessed, a difference between the circumstances of England and Scotland. In England education generally proceeded from the clergy; in Scotland the initiative was taken by the people. The clergy were the high pressure steam in the former; in the latter, education depended more upon the desire of the people. The scheme supported by the hon. Member would increase the differences which existed. It would do so, first, from its antagonism to the principle of the Revised Code. The principle of the Revised Code was that voluntary action should precede State aid. It was local desire now which evoked the assistance of the Government. The locality had to initiate: the people must first appreciate the value of education before the State would extend the hand to give the proffered boon. But according to the Commissioners' scheme a Central Board was to take the initiative, to issue its decrees for the building of schools, and for levying a rate to pay for the maintenance of them. Secondly, the difference between the two countries would be made far wider, in that in Scotland, rating was to be substituted for the funds which now supported education in that country. The hon. Member might perhaps answer that, in the rural districts, the schools had for 200 years been supported by a rate. That was not the case. Let not the House be misled by a word; let them rather consider the reality. Every kind of impost was *pro ratâ*. Taxes were *pro ratâ*; rates were pro *ratâ*; and tithes and dues were *pro ratâ*. Wherein lay the differences between these species of impost? Let the hon. Member consider that question, and then he could point out the one which supplied the funds for the support of the schools he had mentioned. Taxes were imposed year by year, and the imposition of them always caused much discussion and dispute; they varied in quantity year by year, as circumstances might require; they were imposed by the representatives of the people who paid them, and were administered by a power foreign to the people—namely, the Crown or Executive. Rates were also levied year by year, caused much wrangling and bitterness when imposed, and were of variable amount as circumstances required; they were imposed by the representatives of those who paid, and were also administered by the representatives of the people who paid them. This "popular management," as it was called, constituted the essential difference between rates and taxes (for both had originally been locally imposed). Tithes and dues, on the other, were imposed once for all, either by Act of Parliament or by the Crown, or by gift and immemorial custom. Consequently, there was no wrangling and bickering and dispute concerning them every year, and the amount of them was constant. They were not imposed by the persons who paid them; and they were administered by those who received them. Now, let the hon. Member say by which of these species of imposts education in Scotland has hitherto been supported? By dues. Till this time education in Scotland has been established just as the Church is established; and it has been maintained as the Church is maintained. But the Commissioners would substitute rates for dues, the second species for the third, with all the yearly wrangling and disputing, with the variations and diminutions in amount, with the popular management or mismanagement which is inherent to rates. Education in Scotland has been supported by a sort of tithes which were imposed by an Order in Council of Charles I., in 1616; and the system then established had continued ever since. [Mr. GRANT DUFF: No, no!] The Act of 1861 had left the system essentially the same, and he contended that education in Scotland was supported by funds raised in exactly the same way as the funds which maintained the Established Church. The third point of difference which would be created was the following:—Up to this time the schools of Scotland had always been connected with a religious body, and were purely denominational; but it was proposed to sweep away the denominational system altogether. The hon. Member had said that the "denominational character was accidental, and of late date." But what did he find at p. 108 of the Report?

> "It is notorious that in most cases the management rests practically with the minister of the parish. If so, no system could be more denominational."

Yet the Commissioners openly and avowedly laboured to put an end to the denominational character. As he had already said, the system was established by King Charles I., in 1616. By that Order in Council it became incumbent on the heritors to maintain one school and one schoolmaster in every parish. After the dynasty of the Stuarts had been subverted, in 1696, the Order in Council was embodied in an Act of Parliament, and thus placed on a firmer basis. But from that day the schools had virtually remained under the superintendence of the Established Church and the management of the clergy of the parish, and they were visited by the local presbytery. When the Free Church schism took place the members of the Free Church built their own schools, and these schools were placed under the superintendence of the Free Church, and were managed by the Free Church clergy and visited by the Free Church presbytery. No similar enactment, however, was properly extended to

Glasgow and the large towns. Now, what was the result of that system? In Glasgow the number of children of the school age was 98,767, and the daily attendance was 35,565, leaving 63,202 who did not attend school. In Glasgow 1 in 9·6 of the population were on the school books. The difference between Glasgow and the rural districts was very marked, for in the latter 1 in 6·5 were on the books and the attendance was 1 in 7·9—a higher state of education than in any other part of the habitable globe. In the insular districts, while 1 in 7·5 was on the books, the attendance was 1 in 9·7. In Selkirkshire the proportion was wonderfully high—1 in 5·4; while in Shetland it was correspondingly low—1 in 14·2. According to the Report of the Duke of Newcastle's Commission it was considered the perfection of education if 1 in 6 of the population were undergoing education. Yet Selkirkshire went far beyond even this; while the average of all the rural districts in Scotland was very near to perfection. The Commissioners asserted that Scotland was separated into three divisions which were so entirely distinct in their character that they must be dealt with quite differently. It followed that a scheme which might suit one of them would not be adapted to the remaining two. But if, as they themselves assert, we must be careful to provide for the peculiarities of each district, how can any plan be invented which would be suitable for all? The first of those divisions included the large towns, the second the Lowlands, and the third the Highlands and islands. With the difference between these divisions fully acknowledged, the Commissioners were so led away by their love of symmetry as to force a uniform system on the whole of the country. This infinite variety which must, in the nature of things, exist throughout every country, was the reason why, in accordance with the Revised Code, we always waited upon the manifestation of local effort, in order that we might adapt our gift to the local character. Not only, however, did this variety exist in the country as a whole, but the same was to be remarked in the case of the towns themselves. Each town and each portion of a town had its peculiarities and different requirements. Blythswood was a district of Glasgow, which was described by the Commissioners as "the richest and most fashionable quarter" of Glasgow. "Only on the outskirts does it come in contact with comparative poverty." In that district every school was classed as good. There was efficient school accommodation for 6,243 scholars, which exceeds the total number of children between three and fifteen in the district. And 1 in 6·6 of the population were on the roll of some school—

> "It follows, of course (the Commissioners continue) that the state of education in this district of the city is perfectly satisfactory, and requires no improvement."

In the remaining districts of the town, however, where the population was poorer, out of a population of 366,806, there was sufficient school accommodation for only 30,551, no less than 61,973 children being without any educational provision. Blythswood was rich in value, and scant in poor population. Those districts which suffer educational destitution were poor in value, with a numerous population. It was impossible by Act of Parliament to redress the inequalities of nature and civilization. The same thing might be observed in the counties. Where the value was high and the population somewhat concentrated the education was good. But where the locality was poor it could not afford to build many schools. And if the poor lived far apart, they could not all reach the school, and therefore the education was necessarily deficient. Nor was the case altered where the poor were congregated together in large masses, as was the fact in the manufacturing districts, unless the locality could afford to build and maintain many schools. Thus we see that in Shetland, where the population was scattered, and which was poor in value, the state of education was very low. In Sutherlandshire there were large sheep walks, while the people were gathered in fishing villages. There the education was good. In the rich agricultural counties of Selkirkshire and Peebles it was excellent. It appeared that the number and attendance of scholars varied conjointly with the value per head, and the moderate concentration of the population. Now, with regard to the parochial system, the Commissioners themselves allowed that it had succeeded in the rural districts. The Commissioners said—

> "It appears that the mass of the Scottish population in the rural districts have received the elements of education. This is precisely the result which ought to be obtained by any efficient system of national education; and it is the result which has been obtained in Scotland where the parochial system has been tested."—[p. cvii.]

And they made the following "recommendation:"—

> "The most desirable and, in point of principle, the simplest course would be the extension of the parochial system, on its original model, and on a scale proportioned to the whole population."

Where the system had not been extended, the hon. Member himself confessed, and the Commissioners confessed, that its defects had been supplied by the voluntary or the denominational system. With that system the Commissioners hesitated to recommend any interference, because the result would be to impose taxation for a new school upon a district which was already adequately supplied with efficient school accommodation. It would be interfering with a property which persons had created, and which Parliament had endowed. And as the avowed object of every denominational school was to spread the religious views of the promoters, it would be most intolerant to forbid the denominational system, and forcibly to prevent any sect from attempting to spread their own opinions. The Commissioners, however, proposed that no school which was under the denominational or voluntary system should be competent to receive money from the rates, nor even from Parliamentary grants, unless it became adopted into their scheme; while the parochial schools were, by the Act, to be forced under the regulations of the Central Board, which might at any moment compel the inhabitants to discharge their schoolmaster, or even to pull down their school and erect another in its stead; and then the parochial schools might continue to receive the Privy Council grants, but no aid from the rates, until they were starved into an adherence with the scheme. The complaint urged against the Scottish system was that it was unequal and unevenly distributed and wanting in symmetry and uniformity. The hon. Member evidently desired the establishment of an "energetic simplicity" and arbitrary "centralization," such as that referred to in the following extract from the Report (p. xciv.):—

> "1. A national system implies that there shall be some recognized body invested with legal power to establish as many national schools as may be required, and to prevent the establishment of more. 2. A national system implies that the law shall enable the inhabitants of a district to raise by taxation such funds as may be necessary to erect and maintain schools, instead of leaving them to be erected and maintained by voluntary efforts."

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He was willing to admit that the complaint held good in the towns; he allowed that the parochial system had failed in towns. There, it was true, more schools were wanting. Why was that? Precisely because the parochial system had not been extended to the towns. And why had it not? Because the towns and the country were essentially distinct, and that which suited the one would not be adapted to the other. No symmetrical and uniform plan would suit the whole of any country. Yet even in the towns the fault did not lie in want of accommodation for the children; but in the non-attendance of the children at the schools. Thus, in Glasgow, which was taken as the sample of all Scotch towns, the Commissioners said—

> "The schools of all descriptions supply accommodation for less than one-half the children of school age, but for more than the number who attend school."—[p. lv.]

With regard to the Lowlands, also, they said, "The accommodation is greater than the demand."—[p. xxv.] There is—

> "An average accommodation provided in each school for seventy-four; there are sixty-nine children on the roll, and fifty-six in attendance."

It must, however, be recollected that the fact of there being so large an average of non-attendance on the part of the children on the school-roll did not mean that certain children on the roll never attended, but merely that every day a fluctuating number were absent. If the daily average were four-fifths; this would mean that, of every 100, twenty children were absent to-day, and twenty absent to-morrow; yet the same twenty need not be absent every day. What, then, was the cause of the non-attendance of children? In the first place, there were certain children for whom no system could be answerable; and therefore for whom no system could be blamed. The young "Arabs" of our streets could not be caught and kept in school unless they were fed there and clothed, because they had to pick up their living by selling lucifer matches, running errands, or doing other odd jobs. If such children were compelled to attend school they must be fed as well as taught. Another cause was called "the claims of labour," or "the selfishness of parents." In rural districts, as soon as a child could scream loud enough to frighten the crows, he could earn 6*d*. a day. This would suffice to relieve his parents from the biting rigour of poverty, and the sharp tooth of hunger. It was especially the case in the poor districts which suffered educational destitution. It was as true of the towns as of the rural districts. The Report said—

> "Another cause [of the deficient school attendance] is the great demand in Glasgow for the labour of children within the school age, combined with the undue eagerness of parents to use the labour of their children as a means of gain, and their indifference and apathy as regards education."—[p. lix.]

With regard to the rural districts, this ability of the children to earn wages was designated as—

> "Unquestionably the most powerful motive which induces parents to withdraw their children from school."

This was assigned as the cause of deficient attendance. Was that cause removable by any system whatever ?—

> "It seems vain to contend against the demands of labour and the necessities of existence."—[p. cxix.]
>
> "The real causes which produce this effect may be thus explained :—Considering that the children earn from 1*s*. 6*d*. to 2*s*. a week, it is evident that this must be so great a relief to the parents as to render it almost hopeless that they can withstand it, &c."—[p. clx.]

The greatest cause, however, of the non-attendance was to be found in the apathy and indifference of the parents. We gave the machine ; but we expected the poor to find the power to work it. This apathy arose from a want of education in the parents, which caused them not to appreciate the value of it ; they did not see the necessity for the education of their children. And how could this evil be removed ? only by patiently educating as far as we are able ; until in the lapse of years a new generation shall have become parents, the majority of whom will be educated. The Commissioners state that—

> "The apathy and carelessness of the less educated parents is a cause of deficient attendance."—[p. xxv.]

And—

> "The demand for the education of their children corresponds to the state of the education of the parents."—[p. xxiv.]
>
> "The fact seems to be that parents really desirous of having their children educated will send them to any school rather than to none. Parents, on the other hand, of the class described in the extract from the Report on the Clyde district, will send their children to no school; and it is with the children of parents of this latter description that the great difficulty lies."—[p. lx.]

In rural parishes we find the same cause at work. There also we have to contend against the apathy and selfishness of parents. This evil is universal. It is independent of system or place ; it is to be found everywhere, under every system ; for it is inherent in human nature. Let it be concluded, therefore, that educational destitution arises from causes which the Commissioners do not and cannot touch ; because they are beyond the reach of any system of education. Now let us consider the remedies which they have proposed. Let it be borne in mind that the accommodation is greater than the demand ; and that all which is required is that the children should attend school. The remedy which the Commissioners propose, is to supply a greater accommodation. By what means would they effect this purpose ? First, by compulsion and a powerful central authority which should crush all opposition. They say—

> "The defects in the present system are want of organization, want of supervision by some competent central authority, powerful enough to make its influence felt by every individual connected with it. . . . At present there is no competent authority to initiate, to administer, or to superintend. . . . The children may attend school or they may not attend, but grow up in absolute ignorance. All these evils are due to want of organization, and suggest the necessity of some central authority to regulate the education of the country. Centralization implies a national system, and when a Central Board with the supreme control of education is established, there is an end of all denominational and miscellaneous systems."—[p. xliv.]
>
> "Authority should be deposited somewhere, by which the inhabitants of a district shall be compelled to build and maintain efficient schools."—[p. cxxxviii.]
>
> "It is proposed to constitute a Board, with power to establish as many schools as may be required. These schools are to be supported by taxes levied upon the property of the districts."—[p. cviii.]

Until the present time we had been taught to rely on voluntary efforts and not upon compulsion. Even the Commissioners themselves pointed out the real want and the proper remedy. They said—

> "After all, the real point to be arrived at is, that each parent should co-operate with the philanthropist in sending his child regularly to school ; in other words, the ignorant parent, who knows not the value of education, must be instructed ; the apathetic parent, who may know his duty in this respect but neglects to perform it, must be awakened. The only agents who can accomplish this work are the schoolmasters, the clergy, the landlords, and the great employers of labour."—[p. cxxxviii.]

Again—

> "The clergy are the only class of persons who take a systematic and practical interest in the schools."

The second means which the Commissioners propose is the rating system. Let the House bear in mind the distinction between school dues and school rates. It is by the former that education in Scotland has as yet been supported. Let the House also remember that the chief cause of educational destitution is apathy or indifference. Will this be removed by a rating system? or by the common school system of America, which seems to be the idol of the hon. Member? As Lord Brougham once remarked, it would render education hateful to the people. As the schoolmaster walked up and down, he would be marked as the man who had brought into the parish the yearly imposition of a rate, with all its attendant wrangling, bitterness, and animosity. In England we had but a slight taste of it in the acrimony of church rate contests. In America (according to Mr. Fraser) the Northern portion of a district hated the South, while the middle differed from both; so that the schoolmaster had to struggle on in poverty, until the misery of his life drove him away from the place. This naturally produced indifference towards education. The same effect followed on the rating system in Germany. Mr. Pattison reported—

> "It must also be stated that the attitude of large parts of the population towards the school is one of apathy and indifference."—[Report, p. 201.]

In Ohio the school law enacts that the Board of Education for each township shall impose a rate to maintain the schools, yet "in several townships no local tax whatever is assessed for tuition purposes." (Ohio, 11th Report, 1865.) The number of such delinquent districts is 2,040,-or 20 per cent of the whole. Again—

> "The great want of the schools is interest on the part of the community, particularly the more influential part. . . . The teachers struggle on alone, cut off from external aid and sympathy."—[*Connecticut Report*, 1865.]

The Pennsylvania Report speaks of "the withdrawal of children from the public schools," consequent on their general indifference. The following was an extract from Mr. Fraser's report relating to Upper Canada, where the rating system had also been tried:—

> "Were trustees, in general, men who took an interest in schools, and men who were really competent to discharge their duties, there would be no room for complaint. As it is, however, (and more especially in rural districts) we not unfrequently find men holding the office who do not enter the school more than once a year, and whose limited education unfits them for taking any part in its public examinations, and consequently for forming any correct opinion either as to the competence of the teacher or the progress of the school."—[*Report p.* 220, *Canada School Report for* 1863.]

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The hon. Member had said, that voluntary efforts would not cease when rating commenced; and the Commissioners themselves said they would cease as soon as any general system were introduced. It was natural that this should be so. For if rates were levied, the man who subscribed would be paying twice over. Thus rating would be very deleterious. For voluntary effort was far more valuable than the money obtained by rates; because voluntary effort created a local interest in the schools. In Scotland voluntary effort had raised denominational schools, and supplied the defects due to local causes. If you have a general system and the dead weight of a rating law, you will have a dull uniformity, unfitted to local variety and wanting in local interest. The rate hitherto had been paid half by the heritor and half by the occupier. This it was proposed to continue; but the whole rate would now, ultimately, come out of the pocket of the landowner; for it would go in diminution of the rent. Do you suppose that the rate goes to increase the price of the produce, so that it comes eventually out of the pocket of the consumer? Until lately this might have been so. But now a severe competition with foreign markets prevents prices from rising, and therefore it must take effect at the other end, and go in diminution of rent. Thus for the sake of a national advantage you propose to tax one class. And yet the management was to be enjoyed equally by the landowner and the occupier. Then, again, it must be remembered that more than half our supplies were the produce of other countries. If therefore you tax only real property and not personal property, you let all the richest persons escape. Mr. Nassau Senior saw this, and said that rating must be imposed not on real property alone, but on personal property also. So also said Sir J. Kay-Shuttleworth. The Scotch Commissioners themselves allowed as much, for they said—

> "But if every local ratepayer is bound to contribute towards the erection and maintenance of schools which shall be open to all, is there any reason why the general taxpayer should not contribute upon the same principle."—[p. cviii.]

Mr. Fraser in his Report said, that the school rate or tax was imposed on real as well as on personal property; and in Canada the rate was levied off all property, real and personal, and not on any one or more kinds of property in any different proportion from the rest. The hon. Member, however, had urged that large towns and places which were poor and populous were ill supplied with schools. In those places the poor rate was very heavy. What was the remedy proposed? Why to put on another rate, and thereby to increase the poverty. He now came to one of the modern notions connected with ratepaying; he meant that of popular management. It was supposed to be a necessity that those who paid should also have the administration of the funds or management of the expenditure. The maxim was thus stated —"He who pays the piper may choose the tune." For the present he would not stop to inquire whether popular management were a good thing. The hon. Member would reply, that according to modern notions of legislation, this was a necessity. Was it so? Take the Navy Vote. Did the Mayor and Corporation of Portsmouth administer the vote? Did even the representatives of the people who paid the money administer that vote? "No," he would say "but the people elect representatives who determine what the amount of the expenditure shall be." Precisely. But the Commissioners in this case proposed the very contrary; the ratepayers were not to elect the Board which was to determine how many schools should be built and maintained, and how great the expenditure was to be; yet the ratepayers were to administer the funds which were obtained. Therefore this scheme was directly opposed to the maxims of modern legislation. Until now, the ministry of the parishes had virtually had the whole management of the schools. They were to be ousted from the management for no fault of their own, but merely in order to square with an inordinate love of symmetry. What did the Commissioners say upon the point of popular management?—

> "If it be granted that local supervision of some sort is necessary, it cannot be in better hands than those of the minister. . . . He is superior in position to the teacher, and in education to the parents; and is likely to be above the reach of local prejudices—a very important point in country communities—and is likely to deal equitably and impartially with all parties."—[p. xxxii.]

In whom did local prejudices exist, then, except in the ratepayers? Local prejudices were assumed to prevail; for the Commissioners spoke so deprecatingly concerning them. What were those local prejudices, but the opinions of the ratepayers? Then again—

> "The heritors for the most part desire honestly to get the best man they can [as a teacher] for their own school; and by their position and education they are removed above the influence of local prejudices and village politics and animosities."—[p. xxxi.]

Those local prejudices were spoken of as so baneful to the cause of education. Let us therefore consider for a moment some of the evils which arise where local prejudices have sway. Mr. Fraser, after speaking of the extreme lowness of teachers' salaries in America, so that the best of them withdraw, and the schools are crippled, quoted the Connecticut Report of 1865, as follows:—

> "The employment of new, and especially inexperienced, teachers, and of constantly changing them from term to term, which is caused in part by a desire to get teachers that are cheap, is operating very much to the disadvantage of our schools. . . . Not a single district has retained its teachers for two successive terms."

In German schools it was found that the salaries of teachers were cut down beyond measure; hence the Rescript of March 6, 1852, which caused a minimum salary to be fixed for each commune. And afterwards, by the regulations of October 15, 1858, the powers of the local Boards were virtually superseded altogether. From these Rescripts we might gather the judgment of Prussia on the effects of local management of the school rates. Then as to the building of schools under this system: one would suppose that by parity of reasoning those who paid the rates should determine the number of schools to be built. The Commissioners even asserted (p. cviii.) that the ratepayers must be the best judges of what schools would be required. Yet they proposed that the Central Board should decide what schools were to be built if one-third of the ratepayers did not dissent. If more than two-thirds did dissent, yet the Board might renew its decree the following year, and the building of those schools would then be taken altogether out of the hands of the ratepayers, who would have no further to do in the matter than to pay the expenses. Surely this was not local government; this was not self-government, but a central despotism and arbitrary confiscation of property. Then as to the maintenance of schools when built, the object of the ratepayers would be to cut down expense. The teacher therefore would suffer, in that his salary would be exposed to frequent reductions. According to the New York Report for 1865, teachers were paid wages as low as 7*s.* a week during the session of the school, which was only twenty-four weeks in the year. By such a system, therefore, we should be substituting an inferior article under the same name of "Education." Ratepayers used to manage the highways; they did it so badly that Lord Palmerston's Government took the matter out of their hands. "Bumbledom" managed the poor so badly, that last year there was a loud outcry against vestries. Why should we hand over education to "Bumbledom" to be destroyed? "But (you say), if we trust to subscriptions, the burden falls so unequally." Well, but rates will not equalize the burden. In a place which is poor but populous, that is where the value per head is small, and the educational destitution great, there the rate must be large. In a place which is rich in value and sparse in population, the rate would be small. So that the poor place would be heavily rated, while the rich place would not feel the burden. The incidence, therefore, would be very unfair. Again, rating is but a step to compulsory education. If a school were built by all, it must be large enough for all. The next thing would be, that all must be forced to go to it, or else there would be a needless waste. A person without any children might have to pay the education rate. He would ask why he should have to do so? "Because it was necessary for the welfare of the State and the interests of society that all should be educated, and that none should run wild in the streets." Then he would say —"I demand that, in the name of those same interests of society and welfare of the State, all should be educated, and that none should run wild in the streets." That which justified the tax, justified compulsion. Schools were a means to an end. Each person paid for the end, and therefore that end must be secured to him. The State had no right to take A's money to educate B's children, unless the end were guaranteed to him. Compulsory support was compulsory attendance. What were the consequences of this theory? Compulsory education was either right or wrong in principle. If right, it must be compulsory on all, the rich as well as the poor; and therefore the Commissioners very logically said that a rate must be raised for the education, not only of the poor, but of the rich also. Did it not seem monstrous that money should be raised by a local rate to pay for the education of the rich who could pay for themselves? The other necessary consequence was the establishment of a Central Board. If Government had to force schools to be built, then it must see that they were efficiently maintained; and thus we were at once plunged into centralization. To that point the Commissioners had arrived. In the United States the same theory had brought them to the same goal. Mr. Fraser quoted from the New York Report of 1865, as follows:—

> "Would it not be better for the State to take the matter of educating its children in hand, district the territory, build the school houses, employ and pay the teachers, and then compel the attendance of the children as they do in Germany? Would it not be economy? Could not the monies now received . . . . be more judiciously expended, and furnish much better teachers and schools than we now have? I am inclined to believe that with the same expenditure, in the hands of a competent educational bureau, our common schools could be improved 100 per cent."—[*Fraser's Report*, p. 29.]

And yet be it remembered that the compulsory education law of America had signally failed. Mr. Fraser said—"The Compulsory Law stands almost as a dead letter on the statute book." The people will not stand it, unless they fully appreciate the value of education, and if they do appreciate the value of education, such a law can never be required. The object was to remove educational destitution. Rates would never effect this purpose. *A priori* you might expect that they would do so; experience had shown that they would not. *Felix quem faciunt aliena pericula cautum.* Happy he whom another's blunders renders wise. On this point he would refer to a statement of Mr. Fraser in reference to New York. Mr. Fraser, quoting the New York Report of 1865, said—

> "The whole number of children, between the ages of five and twenty-one, residing in the city is estimated at 250,000. This estimate is believed to be much under the number. The average number of such children in regular attendance upon our public schools, including the free academy, evening schools, and corporate charitable institutions of the city participating in the school fund, does not exceed, upon the most liberal estimate, 90,000. We cannot, therefore, escape the conviction that there are not far from 10,000 children within the city who either attend no school, or whose means of instructions are restricted to the very briefest period."

Similar statements were made in the Reports of Ohio and of Connecticut. The percentage of attendance on enrolment was in England, 76 per cent; in six States of America, 70; in eight cities of America, 58; in Ohio, 57; in New York City, 40; and in Canada, 38 per cent. Therefore, it was evident that England was far above those places in respect to the attendance. Moreover, in England, one-fourth of the children who attended, attended for 150 to 200 days; while in New York State only 7 per cent did so, and in New York City only 11 per cent attended for 150 days in the year. The next point to consider was whether more funds would be obtained for the support of schools than were obtained at present. Mr. Fraser stated that in America the sums locally raised by the rate on real and personal property—

> "Are not more, nor in many cases so much, as many a clergyman among ourselves has to pay out of his income for the support of his village school."

In Massachusetts, in 1864, they raised only 23·4 cents, or less than 1*s.* per child of the ages between five and fifteen; and, as might be expected, the schools were "little better than our dame schools." In the United States they found that they could no longer depend upon the rates. From the beginning of the century whenever a new State was formed, one-sixteenth of the land was set apart for the support of education. This was called "the school section," and was a species of endowment. Again, in every State there was the "United States Deposit Fund," which was expended partly in the support of education; in New York this produced 260,000 dollars annually. Besides this there was "the State School Fund;" and it was mentioned by Mr. Fraser that in Massachusetts—

> "The establishment of the school fund was the most important educational measure ever adopted by the Government of this Commonwealth. In 1832, when an effort was made to obtain trustworthy returns from the different townships, it appeared that the ninety-nine townships which responded were expending only 1·98 dollars each for the education of their children. . . . The faith of the people in a system of public schools was seriously undermined. The public schools were fast becoming pauper establishments, into which only the poor and neglected went. . . . The Act establishing the fund passed in 1834. . . . The progress that had been made since 1834 is unquestionably due to the establishment of the school fund."

Mr. Fraser added—

> "I have found that a rate-supported system of schools, whatever may be its apparent superficial uniformity, really exhibits all the inequalities of a voluntary system, and labours besides under certain special difficulties of its own. . . . If people suppose that every American rate-supported school is in a condition of efficiency, they are simply labouring under an entire misconception."

In conclusion, he would observe that the great cause of the deficiency of the attendance of children at schools was the apathy of the parents in reference to education. The effects of apathy were deplored in every country and under all systems. It was impossible to make men angels by Act of Parliament. Indifference was caused by a want of education, by a deficiency of an appreciation of the great value of education; and that cause could only be removed by patient labour, and not by any sudden action of an Act of Parliament. It was idle to endeavour to remove an effect by Act of Parliament, while the cause still remained. It would be as wise to pass an Act that fire should not burn. During the last three years (the Commissioners reported) the state of education had improved greatly in Scotland. In the rate-supported schools of the United States, on the other hand, there were continual complaints of "a great mass of apathy and unconcern, of truancy and absenteeism." He trusted that Parliament would not give up the system under which that improvement had taken place in Scotland, for the system under which education in the United States had gone back. It was not his desire, however, to criticize the Report of the Commissioners in any carping spirit, but he had stated certain objections which appeared to lie on the surface, with the view of eliciting the views of other hon. Members and of the people for the future guidance of the Government.

Mr. BAXTER said, that he had listened with astonishment and pain to the speech of the noble Lord. Though the noble Lord disclaimed being actuated by any carping spirit in reference to the Report of the Commissioners, he must say that during the twelve years he had been in Parliament he had never before heard any Report of Commissioners appointed by the Crown, and possessing the entire confidence of the country, criticized in such a way by a Member sitting on the Treasury bench. He had visited the common schools in America, and he could give the House some information on that subject; but he came down to the House, not to discuss the scholastic institutions of the United States or of Prussia, but to suggest that the Government should bring in a Bill to settle this long pending question in Scotland. The noble Lord had spoken for an hour and a quarter, and had scarcely uttered a dozen sentences having reference to the educational system of Scotland. He trusted that the noble Lord had not expressed the sentiments of the Government, whom he entreated to consider the question in a fair and impartial spirit. He desired to express his deep sense of the diligence, prudence, and ability displayed by the Commissioners, who had been so much maligned by the noble Lord. When it was the fact that the Commissioners had arrived at a conclusion in favour of a national system of education, it did not become the noble Lord to use the expressions he had done to-night. The fact, that such a Report had been made by a Commission so composed, proved that a national system would be welcomed with the liveliest satisfaction throughout Scotland ; and scarcely a single witness doubted that such a system might be established. The differences of opinion that prevailed were in regard to the quality, quantity, and distribution of the education at present given. One would suppose from the language of the noble Lord that the Royal Commissioners had propounded some great theories ; but their Report was a matter-of-fact and business-like document. They took the prudent and sensible course of instituting a full and searching investigation. The result was to show, that, while the proportion of scholars to the population was tolerably satisfactory, the quality and the nature of the instruction given, especially in private and venture schools, the unequal distribution of educational advantages, and the character of the school buildings, imperatively called for an alteration of the present system. The noble Lord had contrasted the statistics of Prussia with those, not of Scotland, but of Selkirkshire, and, omitting the large and the manufacturing towns, he thought to hoodwink the House. He rejoiced to find, from the Report of the Commissioners, that while a few clergymen in Scotland holding extreme opinions attached great importance to these religious denominational schools, which had been eulogized by the noble Lord, the great body of the people, the parents of the children, cared not one straw about these religious distinctions; all they looked to was the merit of the schools. The statistics were as unanswerable as they were remarkable, and they completely dispelled any delusion with regard to religious differences in Scotland standing in the way of a system of enlightened national education. The Royal Commissioners brought out these remarkable facts—Free Church parents sent their children to Established Church Schools, Catholic parents sent their children to Free Church schools, and Episcopalian parents sent their children to United Presbyterian schools; and, indeed, it appeared that parents seldom asked with what denomination a school was connected. The Report clearly demonstrated that the Privy Council system in Scotland had proved totally inadequate and inefficient. It laboured under a defect which was not only inevitable, but incurable. Where the denominational system failed, was not in the inefficiency of the schools established, but in its uncertainty. It offered no security for an equally diffused education. There was too much in one place and too little in another. He believed that you could not have a system which should be at once voluntary, efficient, and universal. The noble Lord spoke of Scotland as having been under the parochial system until now, and he was evidently unacquainted with the religious and educational institutions of Scotland. Hon. Gentlemen opposite, however much they were attached to the English Church schools, would admit that the parochial system had not kept pace with the wants and requirements of the people. It was not in the nature of things it should be so. The voluntary system had failed ; the Privy Council system, from its nature, not from any defect in management, had failed in the islands, the Highlands, and the large towns of Scotland. What were the Commissioners to do ? They found no sectarian or denominational differences impeding education. They found that efficient schools and teachers could be provided for an average rate of 2½*d.* in the pound on the annual value of property. As sensible men they were driven to the conclusion to recommend an entire change of system ; and they had done so with singular unanimity. They had come to the conclusion that a national system was possible and practicable. The keystone of their recommendation was the declaration that the denominational system in Scotland was unnecessary, and that, although it may not be possible to throw aside existing denominational schools, still it is essential that no denominational schools shall for the future be erected by the aid of the

Treasury, or, after a fixed time, adopted into the national system. Like the hon. Member for the Elgin Burghs, he was prepared to advocate changes more sweeping than those recommended by the Government. Perhaps he knew more of the schools of America and of Prussia than did the noble Lord; but he did not advocate the adoption of the American system, for, as sensible men they must consider what was practicable under existing circumstances. Looking at the recommendations of the Report as a whole, believing that the effect of their adoption would be to arrest, and finally to abolish the denominational system, and to transfer the management of schools from the denominations to the ratepayers, he for one was prepared to pass the Bill appended to the Report without the alteration of a single line. He must express his great disappointment that the noble Lord, instead of listening in a becoming spirit to the opinions of Scotch Members and of other Gentlemen interested in the question on both sides of the House, and giving them an opportunity to express their sentiments, should have arisen immediately after his hon. Friend, not to express natural hesitation to legislate this Session, for that might be difficult, but to denounce, in the most unmeasured terms, the Report of the Royal Commissioners appointed by Her Majesty. He, himself, had come down to the House intending to express an earnest hope that the Government would be prepared to introduce the very Bill of the Royal Commissioners, and he should have been glad if the hon. Member for Ayrshire (Sir James Fergusson), the right hon. Member for Edinburgh (Mr. Moncreiff), and the hon. Member for Greenock (Mr. Dunlop), three of the Royal Commissioners so attacked by the noble Lord, had introduced the Bill this Session. He had the fervent conviction that it would have been passed by the House *sub silentio,* with the view of amending any defects that might be found in it in a subsequent Session. After the tremendous speech to which they had just listened, they need not expect such a consummation now, but he hoped that the Chancellor of the Exchequer and the Cabinet would give their earnest attention to the recommendations of the Royal Commissioners, which were extremely impartial and liberal, and showed a thorough acquaintance with the subject, and that, at the earliest opportunity, they would bring in a Bill to settle the question of education in Scotland, and at the same time give a great impetus to the settlement of the educational question in England and Wales.

SIR EDWARD COLEBROOKE said, he too had been astonished at the long rambling speech of the noble Lord, from which the one idea to be gathered was that he was a most determined opponent of the recommendations contained in the Report of the Commissioners. If that speech really represented the opinions of the Government, there was little use in his addressing the House; but he hoped that some member of the Government would yet rise and promise to give their attention to a subject to which at this moment the public mind in Scotland was earnestly directed. Although he agreed generally with the opinions of the Commissioners, he was not prepared to adopt all those opinions, nor to swallow in its entirety the Bill which had been submitted for the consideration of the Government and the country. Scotland was said to be ripe for a national system of education, but it already had one which was capable of a large extension, and ought not, he thought, to be altogether superseded. The Commissioners had hardly done bare justice to the important advantages which Scotland had derived from the grants of the Privy Council. He fully admitted the defects of the system, but these grants had largely contributed to raise the standard of education, and had called forth a large amount of voluntary exertion which it would be unwise to check, particularly the inducements which had thus been given to large proprietors of works for the establishment of schools. The defects pointed out in Glasgow and elsewhere did not prove the failure of denominational efforts, in connection with which the greatest zeal and energy had been displayed in meeting existing wants, as well as could be done in rapidly growing communities. He agreed with the hon. Member for the Elgin Burghs in his desire that Her Majesty's Government should take this question into their serious consideration, with a view to carry out in the main the recommendations of the Commissioners, but it would be well to consider the scheme maturely before committing themselves to every part of it. For example, he doubted whether the establishment of a Central Board in Edinburgh would be desirable. He had far rather trust to the Executive Government, and the inspection which they carried out than to a local Board; nor would such a Board command the same confidence in the country.

Mr. MONCREIFF: I shall not go at any length into this most important question at this hour of the night; but, having been a member of the Royal Commission, whose report is now under consideration, and having for several years taken an interest in this subject, I feel that I ought to say a few words before the debate is brought to a close. In the first place, then, let me thank my hon. Friend the Member for the Elgin burghs for the clear and very able manner in which he presented this question to the House, and it must be gratifying to us to know that the result of this Report has produced on the part of the Scotch Members so general an interest, and such a large amount of approbation. I listened to the speech of the noble Lord the Vice President of the Council—as, I believe, every Scotch Member did, indeed, I think I may say almost every Member of the House—with feelings of great astonishment and surprise. Sir, this question of education in Scotland is as large a question, and is as imperial a question, as even that which has consumed so many days and nights of this Session. In fact it contemplates one of those ends which Parliamentary Reform itself is intended to attain, and at last we have a Report which has been prepared after considerable trouble and care, which embraces a variety of things; and we find Gentlemen of various political opinions agreeing in that Report, some of those Gentlemen having sat upon the same Treasury Bench—three of them at least—as the noble Lord now does. Why, the noble Lord himself confessed that he had not had time to master his Report, and he said he could express no opinion on the subject. [Lord Robert Montagu expressed dissent.] At all events, the noble Lord professed not to be ready to pronounce an opinion on the subject, and that he should require the leisure of the winter in order to come to a conclusion upon it. Yet, after a confession of this character, he made a speech in which every sentence he used pledged the Government and himself, as far as he could pledge them, to a view directly the reverse of that recommended by the Commissioners. [Lord Robert Montagu: I beg to say that I never said anything of the kind.] Well, the noble Lord may not have said so in so many words, but there was not one single sentence of his speech which did not bear out this interpretation; and unless the noble Lord and the Government come, as I hope they will come, to a very different result, I am afraid the chances of Scotch education, as far as they lie with the Government, are not so bright as we had confidently hoped they had been. I looked for better things, and I do not think that the opinions of the noble Lord are the result of deliberation. When he comes to give this question more consideration, and comes to look into it more closely, I think we shall have conclusions different to those which have been presented to our notice to-night. I will now say a few words with regard to education in Scotland. The Commissioners have been able to present a statistical picture of education in Scotland as complete as was ever presented in any country. As regards education in that country, whatever are the remedies to be applied, we see the evils without the slightest doubt, and we see where they have been exaggerated and where they were overlooked, and I do not think there will be any difficulty in the future, either with respect to figures or numbers, for we must now come to the question of principle. There are some encouraging figures in the statistics of the Commission, one of which is that we find the general ratio of education in Scotland has not degenerated. Why is it that we find comparatively a high rate of education in Scotland? I should say that it is because we have a national system. Do we find it adequate to the existing wants of the country? The population has outgrown it, and the moss and rust of years have encumbered it, but the fact remains that in that country, where there is a national system. we have the highest rate of education. You may say that is cause and effect. But still it is the fact, and anyone that looks into the circumstances of the case will find that the effect has been produced by the cause to which I refer. It is said that the national system is likely to cramp voluntary efforts; but, granting that it does, voluntary effort is not the object we have in view. Our object is the education of the people. People speak and argue about the voluntary system as if there were some great merit it. If the voluntary effort promotes education it does great good, and Scotland is to some extent an example of that, for I believe there is no country in which there is so large a voluntary effort. Although in Scotland there are 4,000 and odd schools, every one of which is required for the education of the people, not above 1,300 belong to the national system. All the rest are denominational — the result of voluntary effort. Then the national system has not checked the voluntary effort, but, on the contrary, the voluntary effort has come to the aid of the national system. The noble Lord has pointed to the high average of attendance in some districts, as if that would compensate for the low average in others. What, good is there in an average in such a matter as this? What if we have of all the people in certain districts in Glasgow an average of one in thirteen? What good is it to say that we have in Selkirkshire an average of one in four? What does that average take from the scandal of such a state of things? As a justification for the backwardness of education such an argument is entirely worthless. On the contrary, if good for anything, it is good for this—if you can make the rate one in four in certain districts, you can make it this in all. It is all a delusion to say that the poverty of the people is the thing which prevents education. In Scotland, at all events, it is not found so. Where the parents have schools, they send their children to them; and the real deficiency is not on the part of the parents, but is the want of schools. These statistics prove that there are not schools enough; and when there are schools enough, then you may blame the parents if they do not send their children to them. These statistics teach some important lessons, and show there is a large and primary deficiency. I hope one result of the labours of this Session will be to bring this great question of education out of the mist and dust with which it is surrounded—to bring it to its real standard — the good of the people—and that we shall no longer have it made the shuttlecock for contending parties. The fact is, we must now address ourselves to the task of education — of raising its standard, and bring it within the reach of all. My hon. Friend the Member for Lanarkshire greatly misapprehended, as I think, the Report of the Commissioners. They intended to keep things as they are as regards existing schools, because it was found they are all wanted. All that is proposed in the first instance is, that the superintending body shall see the schools efficiently conducted and open to inspection. The management is not to be altered, nor are the Privy Council Grants to be withdrawn; quite the reverse: the Commissioners proposed that they shall continue to be paid on the footing of the Revised Code, with the exception that the 4th clause shall not apply, and the superintending body is to have the control of the schools. The noble Lord (Lord Robert Montagu) thought there was something shocking in the idea that the parishes should be made to supply funds for the schools. But that is the point at which we want to arrive. We see that the voluntary efforts have not accomplished what we could wish, and we want to see whether the compulsory system will do it. With regard to the 4th clause of the Revised Code, the noble Lord said the Scotch system was a heterogeneous system; but there is no reason why it should be so. Now, it is an old tradition in Scotland that all ranks came to the same school, sat on the same stools, and learned the same lessons; and although that system is, to a considerable extent, done away with of late years, I believe Scotland has derived great advantage from the system; therefore it would cramp the beneficial operation of the system if the 4th clause were applied. As to the superintendence, some objection has been taken to the Board sitting in Edinburgh. That is a matter of detail. It is really immaterial whether the Board sits in Edinburgh or in London. It is immaterial whether there is a separate branch in Scotland or a superintending body at the Privy Council. It is a matter perfectly open for consideration. Then, lastly, the Commissioners proposed that when the managers of the denominational schools choose to throw their schools upon the national system, they may apply to the board or governing body, and then, if it be a proper school, it may be put upon the rates; so that gradually these denominational schools will be absorbed in the national system, and after some years will arrive at the point at which it is desirable they should arrive—namely, the parochial system, which it was designed by the Commissioners should embrace the schools of the whole community. I do hope Her Majesty's Government will treat this matter with the anxiety and attention it deserves. I might have had some misgivings on this matter, and might have wished that it was reserved for a Liberal Government to deal with this question; but it is too large a question for considerations of that nature. If Her Majesty's Government will treat the question fairly and considerately, I can promise them they will have all the support of this Bench.

Mr. GATHORNE HARDY said, he was well aware that he was incompetent to speak with authority upon the subject of education in Scotland, and he felt considerable diffidence in addressing the House upon that occasion. His attention had been directed hitherto to the system of education in England, and he had not hesitated to express his opinions on that subject. His noble Friend commenced his speech by stating the opinions and intentions of Her Majesty's Government, and had said that the Report had not been long enough in their hands to enable them to form a judgment upon it. For himself, he could say that he had not had time to do more than look at the recommendations of the Commissioners, and he should feel entirely disqualified for the discussion of a question of such magnitude by merely taking the statistics without reading the other parts of the Report. It had been shown even by hon. Gentlemen on the opposite side that the suggestion of the hon. Member for Montrose, to pass the Bill recommended by the Commissioners, *nemine dissentiente,* could not be adopted. He was not prepared to take what the right hon. and learned Gentleman had called the Imperial view of the subject, for the circumstances of Scotland were totally different from those of either England or Ireland. There existed in Scotland a system of parochial education, the schools being practically supported by rates derived from the land, which had never been the case in the sister countries. Now, it was only reasonable, in considering how to legislate for Scotland, to see whether the existing system might be modified and adapted to the requirements of the present time. He was, prepared, therefore, being better acquainted with education in England, to deal with the two countries on their separate merits. His right hon. Friend opposite (Mr. Bruce) would, no doubt, wish to put education both in England and Scotland on the same footing, and the hon. Members for Elgin and Montrose appeared to desire the adoption of the American system of common schools. He confessed that the effect of the argument used by the right hon. Member for Edinburgh, with respect to adopting the denominational system in a national system for Scotland, must inevitably be to destroy the voluntary system in that part of the kingdom. Indeed, the object of the Commissioners was by degrees to bring education under one system, subject to some central supervision, and supported by rates throughout the country, and they regarded the present system of payment by the heritors as tantamount to a ratepaying system. He would not enter into the large question embraced in the Report, but would only repeat what had been said, that the Government, out of respect to the eminent and remarkable men who had composed the Commission, would do their best to investigate the question. They would approach it in no hostile spirit, but with the single desire to deal with it fairly and candidly. At the same time however they themselves must have the opinions they had expressed respected. For himself he would not recant the opinions he had given with respect to English education; but the fact of Scotland being placed under a different system would enable him to approach the question in a different manner than he had done in dealing with the one affecting England.

Mr. BRUCE said, he was sure the House must have heard with great satisfaction the reassuring speech of the right hon. Gentleman. He had feared that the policy of education in Scotland might be prejudiced by the Bill relative to English education, which he laid on the table a few weeks ago; and the speech of the noble Lord seemed intended to kill two birds with one stone, and to extinguish all hope of extending education by means of rating alike in Scotland and England. He agreed with the right hon. Gentleman that such a system might be adopted in Scotland with less deviation from ancient practice than in England, and he hoped that no fear of creating an awkward precedent with regard to England would deter the Government from adopting it in the case of Scotland. The needs of both countries, however, were the same, the circumstances of the large towns in the two countries being very similar. It had been supposed, indeed, that the existing system in England had failed most signally in the rural districts, where 11,000 parishes received no grants; but he was prepared to show that the failure in the large towns was still more conspicuous. This was seen especially in that portion of Glasgow which the Government proposed to erect into a borough. Unless the principle of State assistance were changed the masses in the large towns would not be reached. He rejoiced to think that this discussion, notwithstanding its unfortunate beginning, had terminated so favourably, and, after the assurance of the right hon. Gentleman, he was satisfied that the Government would give the question a candid consideration, and that there was every prospect of its resulting in the adoption of the recommendations of the Commissioners.

IMPORTATION OF CATTLE.

ORDER IN COUNCIL 28TH MAY.

MR. AYRTON said, in calling attention to the Order in Council of the 28th of May, he wished to remark that, whereas a previous order allowed cattle to be driven from the wharf to the market, and thence taken to the usual slaughter-houses, it was now required that they should remain for twelve hours at the place where they were landed, and should then be conveyed by rail only to the Islington Cattle Market. They might afterwards be driven about the metropolis or back to Blackwall, so that the effect of insisting on their conveyance by rail to the market was simply to bring a certain amount of toll to the railways, and not provide any security against inspection. This was simply a preposterous order, and whether its object was to subsidize the railway, he did not know. The slaughter-houses at Whitechapel were within a short distance of the wharves where the cattle were landed, but in order to be brought there they should be taken by rail to North London, and driven from Islington to Whitechapel. He hoped some explanation would be given for the reason and motive for issuing the Order, and in order to allow the noble Lord an opportunity of addressing the House a second time he would move "that the Order in Council of the 28th of May relating to the cattle plague is inexpedient."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "The Order of the Privy Council of the 28th May 1867, respecting the importation of Cattle is inexpedient,"—(*Mr. Ayrton,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CRAWFORD said, that the subject introduced by his hon. Friend was one which deserved the consideration of the Government. He was informed that what the railway companies required was time to enable them to complete the necessary sidings and pens.

LORD ROBERT MONTAGU said, that the Order in Council was issued at a time when the cattle plague was increasing in London. It was represented to the Committee of Privy Council by the veterinary surgeons that when the cattle arrived at the port of landing it was impossible to say whether they had the cattle plague or not, but, that if they were allowed to remain at rest for twelve hours, the disease could be easily detected. An Order was therefore passed to retain the animals for twelve hours at the port of landing; but, as the inspection could only commence after the lapse of twelve hours, the practical effect was that they would be kept considerably more. The animals usually arrived on Saturday evening for the Islington Cattle Market of Monday. They would therefore not be removed until Monday morning, having thus been kept in quarantine for thirty-six hours. By such an arrangement when they got to the cattle market there could remain very little doubt as to whether they were infected or not. If on inspection they proved to be infected they would be slaughtered at once, but if not there was very little harm in letting them walk for a certain distance to the slaughter-house. The object of the Order was to prevent the spread of the cattle plague in London. If this Order were rescinded the animals would be landed and taken straight from the wharves across the metropolis, infecting the lairs and every place through which they might pass. By the present arrangement moreover it would be known where every animal went, as they could be traced by means of the market passes; but if the Order were rescinded it would be impossible to follow the animals to their destination, and the cattle plague would soon become beyond control. The object was good, and by no other means could it be carried out. The Order that had been passed had been brought under the notice of the railway companies, and the persons at the various wharves. The Committee of Council had given the railways until the 18th of June to prepare the necessary sidings, &c., but the only body which had done anything had been the Metropolitan Board of Works, who had erected slaughter-houses. The railway companies did nothing, and then when it was too late they rose *en masse* against the Order in Council. If any inconvenience had occurred it was their own fault, in not having made due preparation.

MAJOR JERVIS said, he considered the Order was one of the most absurd ever issued by any Government. Could the time spent by the beasts in the cattle market be any test of their having the disease or not ?

Amendment, by leave, *withdrawn.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

£300,000, on account, for Post Office Packet Service; no part of which sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863, to Mr. Joseph George Churchward, or to any person claiming through or under him by virtue of a certain Contract bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward, by virtue of that Contract, so far as relates to any period subsequent to the 20th day of June 1863.

MR. CRAWFORD, at the suggestion of MR. HUNT, consented to postpone any discussion on the subject to a future stage.

House *resumed.*

Resolutions to be reported upon *Monday* next ;

Committee to sit again upon *Monday* next.

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 5) BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Ramsgate, Tunbridge Wells, Bognor, Newport, Chesterfield, Malvern, Great Harwood, and Harrow, and for other purposes relating to certain districts under that Act, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 206.]

House adjourned at a quarter
before Two o'clock till
Monday next.

HOUSE OF LORDS,

Tuesday, June 24, 1867.

MINUTES.]—SELECT COMMITTEE—On Business of the House *nominated.*

PUBLIC BILLS—*First Reading*—Court of Chancery (Ireland)* (172).

Second Reading—Naval Stores* [160]; Local Government Supplemental (No. 3)* (166); Local Government Supplemental (No. 4)* (167).

Report — Chatham and Sheerness Stipendiary Magistrate* (142).

Third Reading—County Courts Acts Amendment* (156); Houses of Parliament* (136); National Gallery Enlargement* (150), and *passed.*

RAILWAYS (IRELAND).

PETITION.

THE EARL OF KIMBERLEY presented a petition from the Mayor and Corporation of Dublin in favour of the purchase and management of the Irish railways by the Government, and said that the subject had already been brought under the notice of the Government by a deputation which had been received by the noble Earl at the head of the Government and the Chancellor of the Exchequer, and which had been assured by them that the subject should receive the special attention of the Government. He (the Earl of Kimberley) considered the subject a very important one, and one well deserving the attention of Her Majesty' Government, but at the same time there were manifest objections to the proposed scheme. On the one hand, it might be urged that if the Irish railways were placed under the Government inspection the system of working would be improved in a manner suited to the requirements of the country; and in case of mismanagement questions might be asked in Parliament. But, on the other hand, it might be argued that to place the railways under the supervision of Government, would place a large amount of patronage in their hands, would relieve the Directors from all responsibility, and lead to a lax system of management. No doubt that was a fair objection to urge, but still the condition of the Irish railways was such that they were deserving the careful consideration of the Government, and he had no doubt that if they were placed under the control of the Government the system of construction and travelling in that country would be placed in a more satisfactory condition.

THE EARL OF DERBY admitted that the question was one of the utmost importance to Ireland, and at the same time that it was one of very great difficulty. There were objections to the interference of the Government, in any form, and he did not see how they were to be got over. He had felt it to be his duty, on the part of the Government, and in conjunction with the Chancellor of the Exchequer, to receive a deputation composed of noblemen and gentlemen connected with Ireland, who brought before him the whole subject in a very able and temperate manner. He had suggested to the deputation to form a small committee of their own, consisting of persons connected with the railway interest, and had offered to appoint a small committee of the Cabinet and one or two gentlemen of special practical experience to take into consideration any definite proposals that might be made. It would be a source of great gratification if they could see their way to a solution of the question which should be safe to the Government, and satisfactory as regarded all others concerned.

THE EARL OF CLANCARTY expressed his satisfaction with what had been said by the Earl of Derby, and remarked that railways ought to be treated as the Queen's highway, and managed for the convenience of the public, rather than that of a locality.

TURKEY—TREATMENT OF CHRISTIANS.—QUESTION.

THE EARL OF DENBIGH said, there had been published in *The Standard* a despatch from Baron Brunnow to Prince Gortschakoff, dated London, October 17, 1860, in which these words occurred :—

> "Lord John Russell perseveres in giving to the results of the inquiry (the treatment of Christians in the Turkish dominions) a practical and serious application. With this object he has collected in a complete repertory the depositions made by the English agents, whose evidence has been officially required by order of the Government of Her Britannic Majesty. The principal Secretary of State will send to Sir John Crampton two printed copies of this document intended to be submitted to the Imperial Cabinet."

He wished to ask, Whether Her Majesty's Government had any knowledge of this document; and, if so, would they publish it, and other papers connected with it, as they had published recent papers of the same nature?

THE EARL OF DERBY said, he had made inquiry about this matter, but he was not quite sure whether the document referred to was the despatch of Baron Brunnow or that which had been sent by the English Foreign Minister to the English Consul. The first of the documents referred to by the noble Earl was not addressed to Her Majesty's Government, and, therefore Her Majesty's Government had no power to produce it. It had, however, been printed in a foreign journal and copied into the London newspapers.

ESTABLISHED CHURCH IN IRELAND.

MOTION FOR AN ADDRESS.

EARL RUSSELL *: My Lords, in bringing forward the Motion which stands in my name I wish to avoid as far as possible delaying your Lordships, by giving an account of my own conduct in regard to the Irish Church. Whether I was right or wrong in wishing, in common with others, that some inquiry should be instituted in 1833 and 1834, and whether I was right or wrong in proposing the arrangement of 1835, or in dropping that proposal in 1838, it is certain that this question has been regarded for many years past as one of vast importance, and such a crisis has now arisen in connection with it that it has appeared to me it will be necessary for me to take all the time which your Lordships would be able to spare in bringing under your consideration the present state of the Established Church in Ireland. It appears to me, my Lords, that the course which Parliament has adopted during the last two years is sufficient to induce us to give our very serious attention to the state of Ireland. We have consented, not by a small majority, but almost unanimously, to suspend the ordinary law of that country for two years, and to deprive the people of Ireland of the benefit of the Habeas Corpus Act during that period. At the same time, in this extraordinary state of affairs, there is apparently a far greater disposition towards conciliatory conduct on the part of Parliament and on the part of bodies belonging to different religious communities in Ireland than has existed for a long time. You will find that whenever persons belonging to the Roman Catholic Church speak of Protestant clergymen they use the highest terms of commendation, while, on the other hand, there may be found many persons, and even some ministers of the Established Church, who no longer think there would be any profanation or impiety in endowing the Roman Catholic

Church provided that the revenues of the Established Church were not in any way affected. This conciliatory disposition is more wide-spread than I ever remember it to have been before, and therefore it seems to me that although no one would wish or would attempt to settle this important question during the present Session, when we have another question of surpassing importance to solve, yet that the tendency of circumstances is such that Parliament would do ill if it did not prepare itself by every possible means for the full consideration of the subject in the early part of next Session. It is, then, with a view of preparing your Lordships, and preparing Parliament for that deliberation, that I now bring this question before you. And it is, as I have already stated, without reference, or at all events with but slight and passing reference, to other subjects that I wish to call your Lordships' attention to the position—the abnormal position — of the Established Church in Ireland. Now, this question can hardly be considered without turning one's mind to the theory of an Established Church. It is declared by Archdeacon Paley and Bishop Warburton that a Church is established by a State for purposes of utility. It appears to me that while the State is in one sense an instrument for enforcing obedience to the rules of morality, yet other influences may add greatly to the efficacy of legislation. The State can say that if a man steals he shall be imprisoned, and that if he commits murder he shall be hanged ; but the influences of religion go far beyond this. The Old Testament teaches us, as a Divine command, that a man shall not steal or kill, and the New Testament contains numerous and most affecting precepts, urging the cultivation of those dispositions of love and good-will which make a man unwilling to injure his neighbour by depriving him either of his property or of his life. It is, therefore, in my opinion an advantage to a State to have an Established Church which can enforce those precepts of religion and those doctrines of morality which are of essential importance in regard to the order and the welfare of the State. But, unfortunately, statesmen have very often thought that they had only to consider what was good in their own eyes with respect to the form of religion, and to endeavour to force that form of religion upon those who were subjected to their care.

Earl Russell

Let us take an example from our own history. We may say, and say most truly, that we consider the Articles of the Church of England, excluding, as they do, the extremes of the Church of Rome and the extremes of the Church of Geneva, to offer a reasonable settlement of the religious question. There is an order of bishops in our Church, and it has a Liturgy which is a most beautiful work for the purposes of devotion. With this conviction upon their minds, the governors and rulers of England thought, in the year 1637, that they could enforce the adoption of that beautiful Liturgy in Scotland, The first effect of the attempt was that a violent feeling was expressed by hissing and hooting against the book which we look upon with so much reverence, and when a Bishop got up in order to quell the tumult a three-legged stool was thrown at his head. That showed how very little the people of Scotland respected the lesson which they were being taught. Well, we went on for fifty years endeavouring to enforce the Liturgy and the episcopal system of the Church of England by every means of violence and oppression, by imprisonment, by torture, by banishment. But the people of Scotland were well aware how they ought to get rid of this tyranny when the Revolution took place, and James II. was expelled from the throne. They decided against the advice of many wise persons, who said, "Why should you interfere thus hastily with regard to the Church and the Bishops ?"—in spite of all those wise and cautious remonstrances which were addressed to them they persevered in their resolution, and told King William that, unless he would drive the Bishops out of Scotland and refuse them the support of the State, they could not offer him the Crown. King William was a wise man, and, though he had adopted the principles of the Church of England for England, he at once agreed that in the Church of Scotland there should be no Bishops. Lord Somers, whose wisdom was equal to that of William III. took care that in the Articles of Union there should be one declaring that the Crown of England accepted the Church of Scotland ; and one of the first acts of the Sovereign is to sign a declaration that the Established Church of Scotland shall be maintained. Thus these statesmen acted as skilful physicians who, when they prescribe, consult their patient, and administer remedies suited to his constitution, and adapted to his palate. What, my Lords, has been the consequence of that policy? That the peace of Scotland has been preserved; that order has been preserved. The state of Scotland at the time of the Revolution has been described by Fletcher of Saltoun; it was as bad as that of Ireland at any time; but since the Union manufactures have extended and commerce has flourished in Scotland. In her prosperity you see the consequence of the wisdom of William III. and Lord Somers in not contradicting the people of Scotland in regard to the form of religion. Unhappily, a different policy has been acted on in the case of Ireland. The income of the Established Church in Ireland appears to be £586,428. In 1833 and 1834, when the Irish Church Temporalities Act was passed, there was an arrangement made by which leases for twenty-one years were to be renewed perpetually at a sum little more than the rent then paid. In that way £100,000 a year has been entirely lost to the Irish Church; or, in other words, that is the difference between the revenue and what it would have been if the system acted on in England were in force in Ireland. There are other sums connected with the expenses of the Church which some ministers of the Church of Ireland think ought to be furnished by the congregations themselves; I allude to the sums necessary for furnishing the requisites for the celebration of divine service. But while these things are proper matters of inquiry; while it is desirable, at all events, that they should be examined, it strikes me that even if a careful inquiry were made, and every penny which could be found to be part of the revenues of the Established Church in Ireland were applied for the benefit of the Established Church, you would not obtain satisfaction or confidence from the Irish people. On this point I might make quotations, not only from men of the highest authority among Liberal statesmen of this country, but also from some who have taken a very distinguished part as Conservatives. I will not refer to the opinions of Brougham, Macaulay, Sir George Grey, and others, but I will state to you what was written by Lord Castlereagh after the Union. Although he was able to do very little to carry out his wishes, it is clear that Lord Castlereagh had the improvement of Ireland at heart; and these are words used by him—

> "If the same internal struggle continues, Great Britain will derive little beyond an increase of expense from the Union. In uniting with Ireland, she has abdicated the colonial relation; and if hereafter that country is to prove a resource rather than a burden to Great Britain an effort must be made to govern it through the public mind."

On this subject, my Lords, I wish to call your attention to very remarkable language used fifty years ago by Sir Robert Peel, who was then Secretary for Ireland. Mr. George Ponsonby declared the speech to which I am about to refer to be one shewing that Mr. Peel was the most influential Member of the House of Commons. On the 9th of May, 1817, two statements were put forward by Grattan and his friends in supporting a Motion which he made on that occasion. One, that it would be right to admit the Roman Catholics to Parliament and office; the other, that if they were so admitted, satisfaction would at once prevail in Ireland. Sir Robert Peel, having in his early days that sagacity which he afterwards displayed, passed over the first of those statements, which he could not easily refute, and applied himself to proving that, unless Parliament did something regarding the Church—if it did nothing more than admit Roman Catholics to office and to Parliament—there would come to pass exactly what we have since seen. He said—

> "In that country there exist two religious establishments—two co-extensive hierarchies; the one sedulously affecting, the other legally possessing the same dignities, titles, and spiritual authorities: the latter superintending the religious concerns of the great majority of the people, not endowed, indeed, nor encouraged by the State, but exercising over the minds of its adherents, from the very nature of its doctrines and the solemnity of its ceremonies, an almost unbounded influence; the other, the Church of the minority, splendidly endowed, no doubt, but endowed with the temporalities which once belonged to its excluded but aspiring rival. Recollect under what circumstances the transfer of those temporalities took place—recollect that in Ireland there was, in fact, no Reformation; there was no conversion of the mass of the people from one religious creed to another; no conviction brought home to their minds of the errors or abuses of their ancient Church. Attempts were made to effect that conversion by other means and they failed, and have left the natural consequences of such attempts—irritation and hostility.—[1 *Hansard*, xxxvi. 412.]

No one who has consulted history will deny that Sir Robert Peel drew a true picture of what had taken place in Ireland. He went on, in reference to the measure then introduced, to use this language—

> "Do you mean to give them that fair proportion of political power to which their numbers, wealth, talents, and education will entitle them? If you

do, can you believe that they will or can remain contented with the limits which you assign to them? Do you think that when they constitute, as they must do, not this year or the next, but in the natural, and therefore certain, order of things, by far the most powerful body in Ireland, the body most controlling and directing the government of it,—do you think, I say, that they will view with satisfaction the state of your Church or of their own? Do you think that if they are constituted like other men, if they have organs, senses, affections, passions like yourselves; if they are, as no doubt they are, sincere and zealous professors of that religious faith to which they belong, if they believe your 'intrusive Church' to have usurped the temporalities which it possesses, do you think they will not aspire to the re-establishment of their own Church in all its ancient splendour?—[1 *Hansard*, xxxvi. 416.]

"Do you confer any direct and immediate benefit upon the lower orders? You argue, indeed, that the ultimate effects of emancipation will be to ameliorate their condition, to raise up new classes in society, and to unite the upper and lower orders by gradations which are now wanting. Will the peasant understand this? Will he feel any immediate benefit? Will he receive any practical proof that his condition is improved? Will he be less subject to the influence of that most powerful body, the Roman Catholic clergy? . . . You confer certain privileges—substantial benefits, perhaps—on the aristocracy and the bar, but you confer none on the clergy. . . . You confirm the Protestant Establishment as an essential part of the Government, and then assume that the Protestants and Roman Catholics will have the same interests in maintaining that Government! You may declaim as you will, and make what preambles you please, but the force of nature and the spirit of religion are opposed to you; they contradict your preambles and confute your declamation."—[*Ibid.* 418.]

That is what was said fifty years ago, in the month of August, 1817, by Mr. Peel, then Secretary for Ireland. I will now beg leave to read a description of the present state of things written by Bishop Moriarty, a prelate who, as we know, was commended by the present Chief Secretary for Ireland for his patriotic sentiments, who used all the influence in his power to oppose and defeat the schemes of the Fenians, and who, on every occasion, has professed his loyalty to the Crown. What he says is this—

"There was and is sympathy with rebellion, simply because of its antagonism with an authority they hate, and which they hate because it maintains, in the face of reason and of justice, a Protestant ascendancy by the Established Church. We well know that through the lower orders of the people the opinion is unquestioned that if revolution could be successful it would be lawful. The very reverse must be said of the nobility, gentry, mercantile men, and of all who are in the upper ranks of society. We speak, of course, of Catholics. They are not only loyal, but warmly attached to our Constitution and to British connection. The reason is obvious. For that class emancipation had been a reality. It has given them the rights and privileges which follow rank and wealth."

He then goes on to describe the benefits derived from the English constitution, how much they value it, how fair it is to everybody, and how much better it is to live under the British constitution with these advantages than to live under any government whatever. But he goes on to say—

"It is not so with the millions, for whom emancipation has had no practical or appreciable result. For them the past lives in the present; they think they are an oppressed race; England is for them an enemy's country. . . . They live in the hope of what they call a deliverance of their native land."

He asks—

"Now, is there any patent wrong which can account for this most unhappy state of national feeling? There is one, and that is the Church Establishment."

Now, I beg your Lordships to observe how what is said in the month of May, 1867, completely confirms and almost repeats what Sir Robert Peel uttered as a prophecy in the month of May, 1817. If this be so, and if there be at present—and from all I can hear such is the case—among the farming and peasant classes, I will not say a disposition to assist the Fenians, for they showed that they were not willing to give them active assistance, but a sympathy with men who, if they had proposed to themselves more practical objects, and had received greater support, would, according to their view, have been deserving of their regard, as men who wished to improve the condition of the country, can we feel surprised? Are we to wonder that men deeply attached to their Church should be discontented when they see that one-seventh of the people are in possession of all the endowments, and of all the revenues of the State, while their own religion and their own Bishops are entirely deprived of any of these advantages? I am told by some persons that this is a sentimental wrong. I own I am surprised that any person at all conversant with politics should speak with indifference of a sentimental wrong. What but a sentimental wrong has been the great cause of movement throughout Europe and throughout the world? What was the wrong inflicted upon the Scotch when they first heard the English Liturgy and deserted the churches? What but a sentimental grievance induced them to discard the Liturgy and Bishops of the English Church and to resort to a religion and a form of

Church Government more agreeable to their own notions of what was fit and true? Look to the separation of the United States from England. Does any one believe that it was the tax upon tea, of £15,000 levied upon 3,000,000 people, which induced the whole of the United States to sever from Great Britain and declare their independence? It was because England insisted that her taxes should extend to America, that her laws of trade should govern America, that her orders passing across the Atlantic should be the rules by which Americans should live—it was that sentimental wrong which induced the United States to rise against England, and to separate from her altogether as an independent State. What happened, not so long ago, in the insurrection in Belgium? It was not pretended that there was any tyranny on the part of the Dutch. The Dutch, I believe, governed Belgium very well, but they kept too great a part of the power to themselves; they would hardly admit anybody except one of themselves to office, and this sentimental wrong so affected the people of Belgium that they could stand it no longer, and they rose in arms to get rid of it. Therefore, when persons talk of the motives which excite men in Ireland, and provoke them to discontent, as nothing but a sentimental wrong, they offer an objection which has no reality. The statistics on this subject, although they are very short, are worth many arguments; they are worth a great deal of rhetoric, and explain at once the feeling of the Irish peasantry. The last Census of the population in Ireland in 1861 represented the total numbers as 5,798,957; of these the Roman Catholics were in round numbers 4,505,000; members of the Established Church, 693,000; Presbyterians, 523,000; and other Protestants, 76,000. It therefore appears that the entire revenues of Church of Ireland are applied for the advantage of 693,000 persons, and no portion of them for the benefit of 4,505,000 Roman Catholics. You may say that from 1778 to the present time, with the exception of the year 1792 and the years which followed 1798, the whole course of the Parliament of Ireland and of the Parliament of the United Kingdom has been one of concession and conciliation; and that, especially since the Roman Catholic Relief Act, a few men of the very highest eminence and merit—men such as my excellent Friends Chief Justice Monahan and Chief Baron Pigott—have been promoted, by reason of their attainments and their services, to very high office; and therefore it is ungrateful to ask for more, and to blame a generous, a confiding, and a liberal Parliament. This question of gratitude due for concession was a good deal agitated even before the granting of the Roman Catholic Relief Act. The author of *Peter Plymley* imagined a case which he thought would be a very good parallel for it. He supposed that there were certain persons in a village who had been proscribed by the chief authority; and when the annual feast came round these persons were tied up, confined in fetters, and not allowed anything to eat, while all the rest of the village were feasting. Some people urged that this was very cruel, and by degrees they were allowed more liberty, and to have their limbs unschackled. Eventually, a piece of bread was given to them, and they were allowed toast and water in abundance to drink with it. But still they asked for more. Thereupon there was a great scandal. The majority exclaimed—

> "Ten years ago were you not laid upon your backs? Don't you remember what a great thing you thought it to get a piece of bread? How thankful you were for cheese parings? Have you forgotten that memorable era when the lord of the manor interposed to obtain for you a slice of the public pudding? And now, with an audacity only equalled by your ingratitude, you have the impudence to ask for knives and forks, and to request, in terms too plain to be mistaken, that you may sit down to table with the rest, and be indulged even with beef and beer. . . . . . Beef, mutton, lamb, pork, and veal are ours; and if you were not the most restless and dissatisfied of human beings, you would never think of aspiring to enjoy them."

That is the case with the people of Ireland; they have, no doubt, had great concessions made to them, but they still ask to have their Church treated as if they were the equals of the rest of their fellow subjects; in short, they ask for religious equality. Let me now ask, therefore, what is there to be said against their claim for religious equality? I must say that it appears to me to be just in principle. I will now consider the mode by which the object we have in view may be accomplished. I confess that the question is surrounded by difficulties; I have changed my mind more than once while thinking of the course that might be adopted; but, as something must be done, I have come to the conclusion that a course based on the principle of religious equality will be the best, and if it be in the nature of a compromise so much the better; at all events, the course adopted must be fair in its terms. Mr. Grattan said in the year 1817 very much as Mr. Pitt had said and intended in 1801, at the time of the Union—"Incorporate the Catholic Church with the State, pay that Church, and thus give the State an influence among the clergy." Mr. Grattan did not intend to fall under the rebuke which Sir Robert Peel gave to those who were advocates of nothing more than emancipation; he did not mean to leave the Roman Catholics entirely out of the question in the provisions he would make. My Lords, I believe Mr. Pitt exhibited great wisdom in conceiving the plan I have quoted; it was the right policy for the year 1801. I believe that if Mr. Pitt had been allowed to have his own way, that if the Union had been made according to his ideas—if it had been a fair union between England and Ireland, and not between England and the intolerant and monopolizing part of Ireland only—if Mr. Pitt's policy had been carried into effect, we should have had Ireland before this time making progress and living contented in its prosperity. We all know that Mr. Pitt was not so allowed, that the Union which was carried was but half what he intended. Mr. Canning told us in the House of Commons that, when he was breakfasting one day with Mr. Pitt at Walmer, the subject of the proposed Union was raised by dispatches or letters from Lord Cornwallis, saying that the Union could be carried, but Catholic emancipation could not. Mr. Canning, being young and impetuous, said, "If I were you, I would have neither." Mr. Pitt, he said, rather rebuked his impatience, and was contented with half. Still, I must say that it has always seemed to me a doubtful question whether the youth and haste of Mr. Canning did not show more wisdom than the experience of Mr. Pitt; this, at least, is certain, the refusal of any law authorizing the Roman Catholics to be in office and in Parliament and the absence of any provisions for the Roman Catholic clergy at the time of the Union produced evil consequences for numbers and numbers of years. But, whatever good effect might have attended the full adoption of Mr. Pitt's policy at the time of the Union, I cannot believe that if you now proposed to make the Roman Catholic priests in Ireland a stipendiary clergy, your endeavours would be followed with success. I believe, in the first place, that the Roman Catholic clergy would naturally apprehend that their flocks would be set against them, if they received money from the State; and, beyond that, I do not believe the House of Commons would keep up the whole of the present Church Establishment in Ireland, and grant besides a large annual sum for the purpose of paying the Roman Catholic clergy. I do not think the Vote could be obtained, whatever might be the inducements for granting it, and whatever the eloquence with which those inducements might be set forth.

Another proposal might be made similar to that which was adopted in Scotland—to put the Roman Catholic clergy in the place of the Established Church of Ireland. That would be a most violent change, destructive to the present Established Church, and most injurious to the clergy and laity belonging to it, so I leave that solution out of the question. A third course would be to "secularize" the Church funds; that is, to adopt the voluntary principle in regard to the Church in Ireland, to establish no new Church, and to abolish the Establishment which at present exists, giving to education or to any other object of public utility the revenues which are now absorbed by the Established Church in Ireland. Of course this proposal contemplates securing a life interest to the present holders of benefices in the Church. This is a plan which I have often thought might be realized, but it has very great defects in it. In the first place you immediately destroy, as far as Ireland is concerned, the principle of Establishment. Such an example would hardly be lost on the Dissenters of this country. Although the cases might be very dissimilar, those who strove for the destruction of the Church Establishment in England in favour of the voluntary principle would avail themselves of the precedent to overthrow the Established Church here. I therefore think it would be unwise in us to assent to a Bill embodying that view, even if it came from the House of Commons. I come next to what is, in fact, the plan which my noble Friend (Earl Grey) whom I see sitting on the cross-benches, suggested last year. Without going into details, his proposal was to diminish the revenues of the Established Church, leaving a part of them for its Bishops and clergy, and giving part to the Roman Catholic Church and clergy. We meet with difficulties on all hands in our endeavours to settle this question, but this plan, in my opinion, has fewest difficulties, and is to be preferred, though that was not my opinion last year, when I stated to my noble Friend my objections to it. I thought there would be a great deal of contention between the Roman Catholics and Protestants if that plan were adopted, yet seeing that it is based upon principles of equality, and would bring about a state of things in which Roman Catholics would no longer look with dislike, jealousy, and illwill on the Protestant clergy, and would no longer encourage among the peasantry that feeling of ill-treatment under which they now seem to labour. I cannot but think, therefore, that the principle upon which my noble Friend's plan is based is that which it would be advisable for Parliament to adopt in the hope of establishing permanent peace in Ireland. This plan has been put forward by many persons, and an able pamphlet has been written on it by Mr. Aubrey de Vere. Its principle consists in the division of the revenues of the Church among the Established Church and the Roman Catholics, and also among the Presbyterians. Mr. Justice Shee, when a Member of the House of Commons, in 1854, made a very able speech in support of a proposition of his own devising, which he embodied in the shape of a Bill; he did not introduce this Bill, but he printed it soon afterwards; it was very carefully framed; he proposed that two-fifths of the Church revenues should be left to the Established Church, that two-fifths should be given to the Roman Catholic Church, for the repair of churches and the purchase of glebes, and that one-fifth should be distributed to the Presbyterians.

Now, my Lords, it is no triumph—it is a disgrace to England that we have not yet been able to obtain religious harmony and peace. What is done in other States in Europe? I have made inquiry into the course pursued by Prussia, and I find that it is similar in character to the one I have described. Your Lordships know that more than a century ago Prussia obtained Silesia, which was at that time chiefly inhabited by Roman Catholics. Silesia at the present moment is inhabited by Roman Catholics and Protestants in pretty equal proportions. I believe that they carry on their ministrations with perfect harmony; that those who are Protestants collect money for their own ministers and churches from the householders and inhabitants who profess their religion, while the Roman Catholics obtain contributions in a similar manner from those who believe in their doctrines. The State gives some support, though by no means large, to each of them. Some of the Rhine provinces, again, of which Prussia obtained posession in 1814, were formerly under the dominion of Prelates of the Roman Catholic Church; by the adoption of this plan both Protestants and Roman Catholics live together in perfect harmony and peace. Now, my Lords, I would ask, is there not some feeling of national humiliation in the reflection that this country, great as she is, free and enlightened as she is, should fall below Prussia in respect of the religious harmony which she has been able to secure to her people? I confess, my Lords, I have brought this question forward partly because it seems to me inevitable that in the course of a short time you will have it forced on. The noble Earl opposite is now inducing Parliament to assent to a great change in the entire basis of the construction of the House of Commons. The noble Earl, in referring to the subject on a former occasion, seemed to think that legislation might go on as usual after that change. My belief is, that when you get new men elected by new bodies far more democratic than the bodies by whom the House of Commons has hitherto been elected, an inquiry will at once be made with a view to find what is amiss and what is faulty in our institutions, and with a view, moreover, to subject them to a thorough Amendment. They will be apt to say—the Church of England has been a great support to the Church of Ireland; the English aristocracy have been a great support to the Irish aristocracy; it is now necessary to govern in such a manner as to show that the people of England bear no ill-will towards the people of Ireland, and that they desire that their brethren in Ireland may live in the enjoyment of equal rights and of equal freedom, and of equal privileges with themselves, in spite of the opposition that may arise from the existence of ignorant prejudices. If this is likely to happen, would it not be wise in Parliament to look these things in the face, to see what is ahead, and make some provision against the storm? I think, my Lords, there can be no doubt, whatever may happen, that if you refuse altogether to consider this question, and will not consent to deal with it in a manner far more effectual than any that has hitherto been tried, especially when it is remembered that, with regard to the Fenians in Canada and the Fenians in Ireland, the Roman Catholics have proved themselves to be among the best supporters of the Throne, and the most zealous upholders of the honour of the Crown, you will have an unhappy time to look forward to. The Roman Catholic Church has outlived all the persecutions to which she has been subjected in times past, and almost seems to realize the idea of the poet—

> "Yet had she oft been chased with horns and hounds,
> And Scythian shafts and many winged wounds
> Aim'd at her heart; was often forced to fly,
> And doom'd to death, though fated not to die."

Numerous questions, such as the titles of Roman Catholic Bishops, will doubtless arise, but let a thorough determination be evinced on both sides to arrive at a settlement on this subject, and I feel certain that the Roman Catholic Church and the Protestant Church may flourish side by side without the existence of a continual heartburning and ill-will among the members of the two communities. I can only say for my own part that I have addressed these observations to your Lordships in the hope that they may be seriously considered. My own belief is that there is no question with which the future fate of this country is so much connected. You had difficulties in the time of Queen Elizabeth, when the Sovereign of this country was so hated by the Roman Catholics that she was constantly in danger of assassination. You had difficulties in the time of William III., when the Revolution which took place in this country was unacceptable to a great part of the people of Ireland. But those days and those difficulties are now past. Let us so act that the people of Ireland may understand that the unfortunate policy, or, I may rather say, the unfortunate necessity of former times, has passed away, and that we have now arrived at a more fortunate era, when, by consulting the wishes and feelings of our people, we may at the same time gain the heart, and promote the strength of the country.

Moved, That an humble Address be presented to Her Majesty praying that Her Majesty will be pleased to give Directions that by the Operation of a Royal Commission or otherwise full and accurate Information be procured as to the Nature and Amount of the Property and Revenues of the Established Church in Ireland, with a view to their more productive Management, and to their more equitable application for the Benefit of the Irish People."—(*The Earl Russell.*)

Earl Russell

LORD CAIRNS*: My Lords, it is now some weeks since the noble Earl (Earl Russell) gave notice of his intention to call your attention to the state of the Irish Church. If I recollect right, the noble Earl, in giving that notice, stated that he had drawn it up with some care, because he desired that it should not express any foregone conclusion, or commit any of your Lordships to any particular opinion. Accordingly, the notice in its original form was one simply for an inquiry into the revenues of the Irish Church, and in that form it remained on the Notice Paper for some time.

> "That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to give Directions that by the Operation of a Commission or otherwise, full and accurate Information be procured as to the Amount and Nature of the Property and Revenues of the Established Church in Ireland, and as to the Means of rendering that Property more productive."

I myself thought that the Motion was one which might have been productive of very useful consequences, and that the time of a Commission might have been very advantageously employed in the manner proposed. We have had, unfortunately, very varying statements made of late years with reference to the amount of the revenues of the Irish Church, and, if the noble Earl will permit me to say so, no person has contributed more than he has done to the perplexity in which this question has been involved. In a recent publication of the noble Earl's, written, no doubt, many years ago originally, but re-published about a couple of years since, without any notes explanatory of the changes on this subject which have taken place—although notes explanatory of other changes are to be found in abundance—the noble Earl informed the public that the revenues of the Irish Church amounted to a sum almost three-fold as large as they really are.

EARL RUSSELL: I beg the noble and learned Lord's pardon. I said that was the case in 1823, and you will find it so stated either at the beginning or end of the volume.

LORD CAIRNS: I am speaking of the edition of 1865, where I find the statement, as originally given in that of 1823, is reproduced without any note or comment; and the introduction to the work, although it takes notice of many general changes, in no way exhibits the inaccuracy of the original detail of figures. It is not alone in this country that the statements contained in that work have received credence, because I am told that an intelligent foreigner, in writing upon the subject, repeated the statements of the noble Earl as facts, and said that there could be no doubt about their accuracy, because the noble Earl was so minutely accurate in bringing down matters to the present time as to go out of his way to state in a note that, in 1864, the public schools of England had agreed upon a common form of grammar for the use of their pupils—and that, therefore, it was impossible that any change could have taken place in the Irish Church, or he would have mentioned it. In my opinion, a Commission to inquire into the amount and application of these revenues would be highly desirable. But the notice that the noble Earl placed upon the paper a few days ago has assumed a very different form from that in which it originally appeared, and has been coupled with a statement of great significance. With regard to the views of the noble Earl I think he did himself injustice when he compared his views of to-night with those he expressed at the period of the Appropriation Clause. The Appropriation Clause comes far short, indeed, of what the noble Earl has stated to-night. The Appropriation Clause, in mercy and consideration to the Irish Church, showed such a degree of tenderness to it as to propose that it should be considered to have the first claim upon its revenues as far as they could be applied usefully to the purposes of that Church, and that its surplus revenues only should be taken from it and applied to other purposes. But the noble Earl to-night has recommended for our adoption a scheme totally different. If I understand him aright, the noble Earl has proposed that the revenues of the Irish Church shall be divided into aliquot parts and applied to the purposes of the various religious denominations in Ireland. Far be it from me to taunt the noble Earl with the change that has taken place in his opinions during the past year. The subject is much too important to be determined by an inconsistency in the opinions of the noble Earl at different times. But it may be useful to observe the opinions which the same person can hold when charged with the responsibility of office and when freed from that responsibility. It is only a short year since the noble Earl was at the head of Her Majesty's Government. At that time the Habeas Corpus Suspension Act—the measure suspending the right of personal liberty in that country—had been passed, and the spread of Fenianism, which had required the passing of that measure, was a recognized fact; and what was the language then used by the noble Earl with reference to the subject now under discussion? In referring to the Motion which had been made by the noble Earl who sits upon the cross-benches (Earl Grey), a Motion which was almost identical with the present proposition of the noble Earl, he said—

> "My noble Friend, however, lays chief stress, in supporting his Motion, on the subject of the Church of Ireland. Now, my Lords, I can very well believe that the majority of the people of Ireland, seeing that the Church Establishment remains for the benefit of a minority, may feel that an evil and a grievance. But, when the question is as to what should be done by the Government and by Parliament in regard to the subject, I must say that any such violent measure as my noble Friend proposes would, in my opinion, instead of remedying the evil, increase it to a very great extent. I am afraid that if my noble Friend were permitted to carry his proposed Act of Parliament into effect, and divide the Church Property of Ireland between the Established Church, the Roman Catholic Church, and Presbyterian Church, he would create more religious discord, more heartburning, and more division than we have ever yet seen in Ireland. . . . And, really, it seems to me that the whole purport of the proposition of my noble Friend is in order to upset the present Established Church, and to establish a sort of hybrid Church of Roman Catholics, Presbyterians, and Protestants. To that proposal I cannot consent."—[3 *Hansard*, clxxxii. 414.]

Yet, in the space of one short year, the noble Earl, who then announced his opinion upon the subject in language as strong as I could have desired to use, sees no difficulty whatever on this project, except that which I should have supposed no one but one so conversant with Ecclesiastical Titles as the noble Lord would have thought of referring to—namely, the difficulty of a conflict between titles which might be taken from the same localities in Ireland, a difficulty which the noble Earl told us a little good feeling and forbearance on each side might, in his opinion, soon get over. Now, my Lords, I am extremely unwilling to weary you by entering into the subject of the title to the revenues of the Irish Church, but I am bound to do so briefly, seeing that the noble Earl has made a statement to-night that has frequently been made before, but which I should not have thought, with his knowledge of history, the noble Earl would have been disposed to follow—namely, that the greatest portion of the temporalities of the Irish

Church have been usurped from its rival. I should not wish it to be supposed that I acquiesced in such a view of the matter. The property of the Church of Ireland may be looked upon as consisting of two portions—glebe lands and tithe-rent charges. Where do the glebe lands, which are very extensive and of considerable value, come from? I find that the number of acres of glebe lands in the province of Ulster, which constitute five-sixths of the glebe lands in Ireland, is 111,151. There never was a greater mistake than to suppose that those glebe lands in Ulster ever belonged to the Roman Catholic Church. The Commission for the plantation of Ulster in 1608-9 provided that Commissioners should proceed to Ulster and deal with the estates forfeited — not by the Roman Catholic Church, but by individual landowners—and that they should allot threescore out of every 1,000 acres for the support of the ministers of the Protestant Church in Ireland. Under that title, therefore, the glebe lands were acquired by the Irish Church. But again the Act of Settlement passed in 1662 is a document hardly so much read as it deserves. It confirms the titles of many of those who were ancestors of some of your Lordships. I find that the titles of the Lord Clanricarde, of Lord Gormanstown, of Erasmus Smith, and some of the most eminent of the present landowners of Ireland, both among the nobility and the laity, were secured by that Act of Parliament. Here is a special section declaring the title of Sir Henry Petty, the ancestor of Lord Lansdowne. But this same Act takes the impropriate tithes which had belonged to individuals and had been forfeited—tithes which in no way belonged to the Roman Catholic Church—and gave them to the Protestant Incumbents. I further find that large endowments were made, by way of addition to the Bishops' Sees, and that in every town where there was not an appropriate residence for the minister, a house was assigned to him out of the forfeited estates. I find instructions here again to allot glebes out of the forfeited estates in all parts of Ireland. Now I entirely share in the admiration which the noble Earl has expressed as to the wisdom displayed by William III. and Lord Somers, who, in dealing with the Church of Scotland, did not, as the noble Earl said, seek to enter into conflict with the views of the people of that country as to what should be their established religion. It may indeed be doubted whether, even as regards Scotland the policy of the King was guided by the wishes of the people, so much as by the politics of the episcopal clergy; but whether this be so or not, I venture to think if what the noble Earl styles the religion of the majority of the people of Ireland had at that time been established by King William III. and Lord Somers in Ireland, the adoption of such a course would hardly have succeeded in establishing in that country the dynasty which has effected so much good for the United Kingdom. So much with regard to the title of glebe lands depending on the plantation of Ireland, and so much also for the title as to the tithe-rent charge founded on the Act of Settlement. With regard to the title to the other portion of the tithe-rent charge, it may well be rested on what in this country has always been considered the best title to any property—the title of prescription. My Lords, the title of prescription is as applicable to ecclesiastical as to any other property. There is an opinion on this subject which will have weight with the noble Earl, I mean that of Lord Macaulay. He was advocating the policy of the Dissenters Chapel Bill, by which, as to property of this kind, the possession of thirty years was held to give a perfect title. Lord Macaulay said—

> "I never could have imagined that, in an assembly of reasonable, civilized, and educated men, it would be necessary to offer a word in defence of prescription as a general principle. . . . . I should have thought it as much a waste of time of the House as to make a speech against the impropriety of burning witches, or of trying a right by wager of battle, or of testing the guilt or innocence of a culprit by making him walk over burning ploughshares. . . . It is in every known part of the world, in every civilized age; it was familar to the old tribunals of Athens; it formed part of the Roman jurisprudence; it was spread with the Imperial power over the whole of Europe. . . . It is not clear that the principle of prescription is essential to the institutions of property itself, and that if you take it away, it is not some or a few evils that must follow, but general confusion."—[3 *Hansard*, clxxv. 338.]

And one sentence more, perhaps, your Lordships will allow me to add, on the same subject from an authority perhaps of greater weight—the authority of a distinguished Roman Catholic Professor at Maynooth, who was examined before your Lordships—I mean Dr. Slevin, who was asked what was his view of the title of the Church of Ireland to the possession of its revenues, and he said—

> "I consider that the present possessors of Church property in Ireland, of whatever descrip-

tion they may be, have a just title to it. They have been *bonâ fide* possessors of it for all the time required by any law for prescription—even according to the pretensions of the Church of Rome, which require one hundred years."

The noble Earl has referred to-night to the opinion expressed by Bishop Moriarty as to the Irish Church. I could not help contrasting a sentence of Bishop Moriarty with this opinion of Dr. Slevin. Dr. Moriarty says—

> "We acknowledge no prescription in this case. The Church does not allow a Statute of Limitation to bar our claim. The title of the Protestant Church has not even a colour of validity. Our right is in abeyance, but it is unimpaired."

I ask your Lordships to contrast the doctrine of Dr. Slevin, given at the time when it was material to represent to Parliament the views of the Roman Catholic Church in their mildest form, and that given by Dr. Moriarty, in the present year.

My Lords, I do not propose to dwell any longer on the question of title. Nor do I now propose to inquire into a subject very much discussed at different periods—namely, what is the rightful power of Parliament to deal with Ecclesiastical property—because in the hottest debates on that subject there was always one point which every person admitted, and is quite sufficient for my present purpose—it was always admitted that so long as the corporate body which possesses the title to Ecclesiastical property remains, so long as the property is not greater in amount than can be usefully applied by that corporate body, I do not say it is not in the power of Parliament to interfere—for Parliament may interfere with regard to any of the private possessions of your Lordships, although it is not to be supposed that Parliament ever would so interfere; but there is no right of principle on which Parliament can interfere to alienate property of that kind. That leads me to ask your Lordships to consider how the question stands as to the revenues which the Church of Ireland possesses, and as to the mode of their application. And I can assure your Lordships nothing can be farther from my intention than to enter into any question of elaborate statistics. I will enter on no debateable ground, but simply give facts, as to which there is no dispute. I apprehend a very pertinent inquiry is to consider whether, with regard to the admitted revenues of the Church in Ireland, there is or is not in the Irish Church as much comparative need of those revenues as there is in the English branch of the Church. I recollect a late colleague of the noble Earl instituting a comparison between the revenues of the Church of Ireland and the revenues of the Church of England. He stated that he found that the average cost of every member of the Church population in Ireland was something like £1 a year, and the average cost of every member of the population of England was something like 6*s.* or 7*s.* a year, and he drew the conclusion that the Church of Ireland was much more richly endowed than that of England. Now, we have had a statement on that subject compiled by very high authority in Ireland—a synoptical account has been published—perhaps your Lordships may have seen it—by a Member by no means favourable to the view taken by the strongest defenders of that Church; but he admits that taking the Church population of Ireland, the parochial revenues for the support of the Church of Ireland divided among the Church population would give something like 10*s.* to 11*s.* a head for every member of that population. The great fallacy of comparing the case of Ireland with England is this—every person who compares England with Ireland takes the Church population of Ireland and considers how far the revenues would go for providing for the religious requirements of the Church population; but when he comes to England he takes the whole population, and assumes that every member of that population is a member of the Church. In that way you make a comparison, and say that every head in the population of England costs in religious provision 6*s.* or 7*s.* a year; but I believe if you take the Church population of England, I may affirm, without fear of contradiction, that the revenues of the Church of England are very much higher—nearly double those of the Church of Ireland. Let me ask your Lordships to observe another comparison between the two countries. I avoid again all debateable ground. I find that in Ireland, if you take benefices and holders of benefices, the average income of every holder of a benefice would be something like £250. The average number of members of the Church in a town parish is 1,590—that is, in a parish in the towns with over 10,000 inhabitants, 1,590. The average number in a rural parish is 376. A country parish averages twenty square miles. In England the average income is £285. The average population of a rural parish in

England is 387 members of the Established Church, and in Wales 248, and in place of parishes of twenty square miles the average is only five square miles. It may be said it is not fair to judge of this question by averages, and that instances may be given of parishes in Ireland where there is a very small number of the population members of the Established Church, and where, therefore, the revenues are altogether disproportioned to the duties performed. I have always been ready to admit that the revenues of the Established Church in Ireland were unequally distributed, and I have ever regretted that much which has been done in England since the passing of the Reform Bill has not been done on the same principle in Ireland. You have from time to time remedied anomalies in England; you have, through the Ecclesiastical Commissioners, altered ecclesiastical arrangements so as to equalize more fairly the revenues with the services performed. Very little since 1834 has been done in this direction in Ireland, and consequently it is very easy to put your hand on anomalies; but what I venture to state is, that, in a discussion going to the very root and principle of an Establishment, we have not to consider these questions. These are questions with regard to the internal economy of the Church; they are utterly immaterial in face of the proposition of the noble Earl to transfer the revenues, or part of them, from the Established Church to some other body. I pass, therefore, from the statistics of the question, and ask your Lordships simply to go with me to this extent, there is not shown to be any surplus whatever of the revenues of the Established Church, after providing for the whole service of the Church.

I now ask your Lordships to look at this question in another and a most important point of view. I wish to ask your Lordships to look at the matter in its social and political bearings. You have at present in Ireland a body of resident gentry, and of noblemen also, in the persons of the Clergy and Prelates of the Established Church. The noble Earl has admitted, as every one who speaks on the subject is always forced to admit, that a body more exemplary for the performance of their duty and more devoted to the high service with which they are charged, more in sympathy with the people and more worthy of praise, more self-denying and assiduous labourers in their sacred office, could not be found in any part of the world. It has always been the great want for Ireland in the view of every one who has spoken on the subject, to provide for Ireland to the greatest possible extent a body of resident gentry who should live among the people of the country. Consider what the effect in this respect would be, either of the total overthrow of the Established Church, or of the alienation of the revenues of the Established Church in the manner proposed by the noble Earl. You would destroy, in the first place, this large—indeed, the largest—body of resident gentry at present in Ireland. You would at the same time seriously affect the position of all those other resident landowners who, at present, have staked their fortunes and property in Ireland upon the faith of having these ministrations of the Church to which they belong, with a resident clergy and all associations of the kind to which I have referred, around them. Is it possible to suppose that, in a country like Ireland, this can be done without producing, by such legislation on the part of owners of property there, feelings the most insecure, the most bitter, the most dissatisfied? This is no mere opinion of my own—no opinion stated now for the first time. The expressions from time to time used upon this subject by those to whose words your Lordships would listen with the greatest attention are stronger and more emphatic than any language of mine. The noble Earl said that he need not quote the opinion of Lord Plunket on this subject. I wish he had quoted the opinion of Lord Plunket, for a better opinion on this subject I could not desire to have. Lord Plunket was a strenuous advocate for Roman Catholic equality, and for the removal of every restraint upon Roman Catholics of which they could justly complain. What did he say upon this subject? He said—

> "I feel that the Protestant Establishment of Ireland is the very cement of the Union; I find it interwoven with all the essential relations and institutions of the two kingdoms; and I have no hesitation in admitting that, if it were destroyed, the very foundations of public security would be shaken, the connection between England and Ireland dissolved, and the annihilation of private property must follow the ruin of the property of the Church."

He said, further addressing your Lordships—

> "My Lords, I say, sure I am that, if the alternative were put to him, the Roman Catholic would

prefer the Protestant Establishment in Church and State, under which security is afforded to his property, his family, and his life, to the wild and bad chimerical attempt to uproot the Protestant Establishment, which could only be done by shaking the foundation of the empire. The two countries must be separated before the Establishment can be abandoned. It should not be supposed that the Roman Catholics entertain any wish for the accomplishment of such an object."

That was an opinion the noble Earl might have read, but he abstained from doing so. Take the opinion of a Roman Catholic—one who took a most active and intelligent part in the affairs and government of Ireland. The right hon. A. Blake said—

"The Protestant Church is rooted in the Constitution; it is established by the fundamental laws of the realm; it is rendered, as far as the most solemn Acts of the Legislature can render any institution, fundamental and perpetual; it is so declared by the Act of Union between Great Britain and Ireland. I think it could not now be disturbed without danger to the general securities we possess for liberty, property, and order—without danger to all the blessings we derive from being under a lawful Government and a free Constitution. Feeling thus, the very conscience which dictates to me a determined adherence to the Roman Catholic religion would dictate to me a determined resistance to any attempt to subvert the Protestant Establishment, or wresting from the Church the possessions which the law has given it."

I come to more recent times. I take the opinion of another eminent Roman Catholic, recently a Member of the House of Commons, and distinguished by his uncompromising advocacy of what he considered to be the fair claims of the Roman Catholics. Mr. Serjeant (now Mr. Justice) Shee said—

"The Church by law established is the Church of a community everywhere considerable in respect of property, rank, and intelligence; it is strong in a prescription of three centuries, and in the support which it derives from the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion tearing up both Establishments by the roots could accomplish its overthrow."

These are strong words coming from a Roman Catholic. The noble Earl said that he need not cite the words of Lord Plunket, nor of Members of the Liberal party, and he instanced one whose name will ever be mentioned in Parliament with respect—Sir George Grey. What did Sir George Grey, when a Colleague of the noble Earl, say on behalf of Government upon this subject, a few years ago? In 1863 Sir George Grey, speaking on behalf of the Government of Lord Palmerston in the House of Commons, and speaking, therefore, on behalf of the noble Earl, said—

"Whatever I may think of the wisdom and policy of establishing an exclusive Church of the religion of a minority in a country, without making any provision for the religion of the majority of the inhabitants, it is impossibile to get rid of the fact that this Church has existed for centuries, has become interwoven with the institutions of the country, and could not be subverted without a revolution. That revolution I, for one, am not prepared to recommend."

That was the view of the Government of which the noble Earl was a Member in 1863, and the noble Earl, when himself at the head of the Government last year, repeated this sentiment almost in the same words; but now, in the short space of one year, he is prepared to recommend a course which three years ago it was stated, on behalf of his Government, would be a course that must lead to revolution.

The noble Earl referred to a subject which I own seems to me to go to the root of the matter. He said, that among the many alternative modes of dealing with the Irish Church which had occurred to his mind, he had resolved to put aside the proposition which would secularize the incomes of the Established Church. He said that this was a proposition which would go to the very root of an Establishment in Ireland. I want your Lordships to consider what is the root, what is the principle of an Establishment either in Ireland or any other country. Depend upon it we are coming to times when our minds must be made up on this subject, and when we must be prepared, both in this House and elsewhere, to state what are the principles upon which an Establishment can be supported in part of this country. I listened to the noble Earl, and I expected he would lay down some principle upon which he would maintain it could be supported; but what did he say? He turned to Paley, who said an Establishment existed for "morality," if I rightly caught the word. [Earl Russell: Utility.] "Utility!" Well, that is a very vague and comprehensive description of the purpose for which an Establishment exists. But, putting the purpose aside, I want to ask what is the principle which justifies the maintenance of an Establishment in any country? There are but two principles which I have ever heard advanced; and I am afraid we must make our selection between them. One is a principle plain and easy to be understood, and I have found it expressed, by a right rev. Prelate, a Member of your Lordships' House, in words so precise that I will not attempt to substitute for them any language of my own. The right rev. Prelate (the Bishop of Ossory) said—

> "The true ground on which to justify an Ecclesiastical Establishment is, that the State is bound, by its duty both to God and to the people whom He has committed to its care, to provide for all who will avail themselves of the provision, the means of public worship, according to a pure ritual, and the means of public instruction, according to a sound and Scriptural confession of faith. This is the true ground for defending the Established Church in either country, and it is an equally valid defence for it in both."

That is one principle. Whether your Lordships will all agree with it is another matter; but it is clearly, plainly, and eloquently expressed. I have the satisfaction of thinking, so far as principle is concerned, that we have the agreement of the highest authority in the Roman Catholic Church. Does Dr. Cullen disapprove of the Establishment in Ireland because it is not the Church of a majority in the country? Does he disapprove of it because it violates the rule of Paley, and does not exist for "utility?" Nothing of the kind; his objections are much more precise, and accord much more with the definition of the principle of an Establishment which I have read. Dr. Cullen says—

> "Can we reconcile ourselves to the existence of an Establishment which proclaims the Bible, and nothing but the Bible, as the rule of faith, and grants to every one the right of thinking and acting as he wishes in religious matters?"

Of course, Dr. Cullen is quite at liberty to hold that opinion. I honour him for going to the root of the matter, and telling frankly his reason for objecting to the existence of the Church now established. But what is the other principle on which the right to religious endowments has been supported? It is the principle involved in the proposal of the noble Earl, and which was also shadowed forth a few years ago by an eminent statesman, a Colleague of the noble Earl (Mr. Gladstone) in the House of Commons, a right of all denominations to a proportionate share of the religious endowments of the country. Mr. Gladstone rested his argument against the Established Church in Ireland on this, that in a nation of between 5,000.000 and 6,000,000 of people, about 600,000 or 700,000 had exclusive possession of the ecclesiastical property of the country, intended to be applied to the religious instruction of all. Is that, or is it not, the principle your Lordships are prepared to accept in regard to the religious endowments of this country? by which I mean not Ireland only, but England, Scotland, or any division of the Empire. Have the people of any part of the United Kingdom, of any parish in the United Kingdom, a right to say that the religious endowments of a country were intended to be appropriated for the religious purposes of all—that is to say, of all according to their varying and separate creeds and denominations? If that is to be the principle, I desire the fullest investigation of it. I think it ought to be laid down and agreed upon by Parliament, and acted upon afterwards consistently. If that is the principle, the conclusion is irresistible; every denomination in the country have a right, equivalent to a right of property, to say, "We shall have an aliquot share and proportion of the religious endowments of the country." That is not a principle for Ireland alone, but for the whole country. The noble Earl speaks of the degradation which a member of the Roman Catholic Church in Ireland must feel when he considers that the ecclesiastical revenues of the country are monopolized by the Established Church. But why should not the same sense of degradation be felt by Nonconformists in England? I know that many Dissenters in this country would be content to accept endowments, and why could not a Dissenter of that class say, "I feel myself degraded because the religious endowments, which were intended for the instruction and use of all, are monopolized by the Established Church of the country?" Why, it appears from a statement which I believe may be relied upon that there are in Wales about 1,000 benefices, having each, according to the religious census of 1851, an average population of 1,300, and out of that number of persons in each parish 400 belonged, on the average, and according to the test then employed, to the Established Church, and 900 to the Dissenting communities. May not, then, the Dissenters of Wales say with as much justice as the Roman Catholics of Ireland, "We feel it a degradation that the revenues which were intended for the benefit of all should be given to a minority?" And, with regard to majorities and minorities, I hold that, if there is one man in a minority, the wrong to that individual man is, on this principle, as great as the wrong to each individual in a minority of thousands, if he had not his aliquot share of the endowments which were intended for the benefit of all. This principle goes beyond the question of the Established Church in Ireland, for the Church of England must be tried by that principle as well as the branch of it in Ireland. My Lords, these questions might be pressed much further. Are the endowments to be shifted and varied from time to time as the minorities and majorities may change in their relative proportions? And does the noble Earl imagine that, admitting this principle, he will satisfy the Roman Catholic four-fifths of the population of Ireland with a share of two-fifths of the religious endowments?

And now, I want your Lordships to consider from what quarter the movement, of which the noble Earl opposite makes himself the pioneer, really comes. I believe your Lordships can make no greater mistake than to suppose it is a movement coming from Ireland. The fact is, that it originated about two years ago with a body in this country of whom I desire to speak with perfect respect, for, though they entertain very strong views, they urge them, as they have a right to do, with great consistency and vigour—I refer to the Liberation Society. That body is conscientiously opposed to all Ecclesiastical Establishments. But they select the branch of the Establishment in Ireland because they think it is the weakest branch, and the one which would be most ready to yield to an assault, and they accordingly proposed, about a couple of years ago, co-operation with the persons whom they regarded as the leaders of popular opinion in Ireland. It seems to have been thought that those who in Ireland were anxious for an alteration of the laws affecting the tenure of land would unite with those who, in this country, wished to attack all Church Establishments, in order that both parties might co-operate and form a strong party for the purpose of Parliamentary action. Now, I have no fault to find with that course of proceeding, but it is material to bear these circumstances in mind when we are told that this movement comes from Ireland. I am fortunately able to show your Lordships, on very sufficient authority, that there could be no greater mistake than to suppose that this question is the cause of any political agitation in Ireland. I remember that, not more than two years ago, a very eminent Member of the other House of Parliament—himself a Roman Catholic and a very strong advocate of Roman Catholic questions—asserted that the relations between landlord and tenant in Ireland were the great question of the day, and that all other questions, without any exception, were trivial in comparison with it, and, in fact, mere questions of sentiment. I will not stop to examine into what the noble Earl has said about sentimental grievances, but I must say I think the cases he referred to of the American colonies, of Scotland and Belgium, were not cases of mere sentiment. However, I pass that by. And now let me call your Lordships' attention to a high authority on this matter. A very authoritative publication on behalf of the Roman Catholics is the *Tablet* newspaper, and it has expressed itself on this point in a way which I think is extremely instructive. In 1863 the *Tablet* said—

> "We may perhaps be told that the distribution of the revenues of the Established Church in Ireland does not concern us (Roman) Catholics; and our answer will be that, for our own part, we do not feel much concern about it. As long as the greater part of the soil of Ireland is the property of Protestants, and as long as they, being the great majority of the tithe-payers, choose to spend their money in this particular way, we do not believe that Mr. Dillwyn or anybody else will hinder them. When the question comes to be settled (whether we live to see the settlement or not), it will, we believe, be settled as a question of money and of property, by those who at the time bear the burden and desire to change it."

Again, the *Cork Reporter*, another Roman Catholic newspaper, said—

> "The question of the Irish Established Church has, after a long interval, been again brought under the notice of the Legislature. We are glad that the subject has been introduced by a Protestant and an Englishman, and we shall be well pleased if no Roman Catholic take part in its discussion. The Irish Roman Catholics, it seems to us, have little interests in the temporalities of the Establishment. The income derived from the tithe-rent charges comes out of the pockets of the proprietors of the soil, the great majority of whom are Protestants; and the (Roman) Catholics would gain very little, in a pecuniary sense, were that source of Church revenue abandoned to-morrow. The only aspect in which the Establishment can be said to present itself offensively to the Irish (Roman) Catholics is as an emblem of conquest, upheld in pomp and privilege by the power of England. That, in this aspect, it is objectionable and injurious no sane man can doubt. But, regarded simply as an institution which it costs so much per annum to maintain, it is a burden on a handful of Protestant landowners, and not on the (Roman) Catholic people, who derive more actual benefit from the income of the resident parson than they would from the same

money if it were paid over to the absentee landlord."

My Lords, I will not deal farther with newspaper statements, because they may not carry sufficient weight with your Lordships; but I will cite the opinions expressed by dignitaries of the Roman Catholic Church in Ireland. An address was published at the end of the year 1865 by the Tenant-right Society of the county of Meath. It is a very remarkable document, and the more so because the Society was inaugurated at a meeting of priests of the county of Meath, which meeting was attended by the Right Rev. Dr. Nulty, Roman Catholic Bishop of the diocese, and because the address was issued at an adjourned meeting, presided over by the Roman Catholic Vicar-General. The address was signed by the Chairman and by the two Secretaries, who are both of them priests, and was in the following terms:—

> "If the Government likes to conciliate and pacify the Irish mind, now in such a state of wild commotion, we frankly believe it has it in its power to do so by granting to the industrial property of this country as large and as satisfactory a measure of security as that enjoyed by the landed property of Ireland. When the right of the whole people to anything virtually concerning their very existence is clear, it should be secured to them by Government, if it be a Government at all. The one, the great, the sole question for Ireland is the land question. Other agitations, such as that against the Established Church, are got up for party purposes—would infuse an element of bigotry into the already sufficiently disturbed relations between landlord and tenant; would effect the ruin of thousands of tenants, and precipitate that social catastrophe which we are anxious to avert."

I think I have now established this position—that this is an agitation which proceeds not from Ireland, not from Roman Catholics as against Protestants, but one which proceeds from those who are opposed to all Ecclesiastical Establishments as against those who are in favour of such Establishments. I say again that this is a fair question to be argued, but I beseech your Lordships not to make Ireland the battle-field on which it is to be fought, because the moment you transfer it to be argued in Ireland you make it what it ought not to be—namely, a question between Protestant and Roman Catholic, whereas it is in reality a question between Establishment and no Establishment. We have sources enough, God knows, of animosities between Roman Catholics and Protestants in Ireland, and I beseech your Lordships not to make this another of them. Look back for a moment on the history of the Church question in that country. About thirty years ago you had heart-rending accounts day by day of collisions between the peasantry and the soldiery, and of assaults, loss of life, riot and disorder, all directly occasioned by the collisions to which I have referred, arising out of the collection of tithes. But wise legislation put an end to that sad state of things, and for nearly a quarter of a century there has been perfect peace and quiet throughout the country as far as that subject is concerned. The Church property has been so completely isolated that it cannot become the cause of collisions between different classes of the inhabitants. The glebe-lands are peaceably occupied by the clergy, the tithe-rent charge is paid by the landlords, and improvements have been introduced in regard to Bishops' leases. But you are now asked to re-open a question pregnant with all the consequences which I have endeavoured to point out. My Lords, because I feel the gravity of these objections to the scheme of the noble Earl; because I see in its conception injustice, and even confiscation; in its execution strife—bitter and enduring strife and animosity; and because, above all, I see in its result insecurity to property, and peril—perhaps not immediate, but not the less certain peril—to the Established Church in this country, I beseech your Lordships to give no assent and no encouragement to the Motion of the noble Earl in its present form.

THE EARL OF KIMBERLEY: My Lords, I think it must have been a relief to some of the noble Lords opposite to hear the speech of the noble and learned Lord (Lord Cairns), which, without at all detracting from his talents and character, I may characterize as a speech of "no surrender." The noble and learned Lord, speaking with his wonted ability, has put forward the arguments usually put forward on behalf of the Established Church in Ireland; but I think your Lordships will feel that the noble and learned Lord has proved too much, because he has proved that the Established Church in Ireland is no grievance at all, and that, if you touch it, you bring to the ground the Established Church in England. Now, if that proposition be adopted, it will be impossible for any Government, now or hereafter, to deal with the Established Church in Ireland, no matter what may be its position or what the condition of that country. I pass over the observations with which the noble and learned Lord commenced. He thought it worth his while to notice a mistake in the preface of a book written by my noble Friend; which may have been a mistake in figures; but I do not think that such an error is of importance in the discussion of such a question as that now under your Lordship's consideration. The noble and learned Lord then proceeded in a manner which I must say astonished me. He quoted a series of speeches made by noble Lords and right hon. Gentlemen belonging to the party with which I have the honour to be connected; but I think noble Lords opposite must have felt, when they heard those extracts, that if any noble Lord had thought proper to rake up speeches delivered in former times he might have made some very curious quotations from speeches by Members of their own party. I think, were I disposed to follow the example thus set to the House, that I might show how the Conservatives have resisted every kind of Reform, until the time arrived when, compelled by the voice of the country and the necessities of the times, they turned round and carried those very measures which they had before condemned. First of all there was the great question of Catholic Emancipation—a subject germane to this one now under discussion. The demand for Catholic emancipation was resisted for years by the party opposite; but they afterwards supported it when they found it could no longer be resisted. Then there was the Corn Law question: but those are questions of ancient date, which we might suppose to be forgotten except as matters of history. We may ask, however, what happened last Session, and what has taken place in this present Session of Parliament? Would it be any use to come here and say that noble Lords opposite held certain opinions on Reform last Session, but have turned round now and adopted contrary opinions—that last year they thought a moderate reduction in the franchise could not be made without imminent danger to the Constitution; and that this Session they have themselves introduced a very much larger measure of Reform, in order that by it the Constitution might be saved? I am quite sure that either side is liable to attacks of this kind—the Liberal party for having advanced opinions which, when in office, they were prevented by the circumstances of the times from carrying into effect—the Conservative party for having, when in Opposition, opposed measures which they ask Parliament to pass when they find themselves pressed with the responsibilities of office. The noble and learned Lord took very high, though very old, ground. He argued that the possessions of ecclesiastical corporations are like those of individuals, and should always remain inviolate, and that, therefore, no Government may touch the property of the Established Church in Ireland.

LORD CAIRNS: Allow me to say that I expressly avoided that proposition. What I said was, that so long as an ecclesiastical corporation had a proper means of applying the funds intended for its use, every one agreed those funds could not be taken away.

THE EARL OF KIMBERLEY: I accept the explanation; but I must say that the noble and learned Lord referred to the titles of noble Lords in this House, alluded to the Act of Settlement, and told us that the property of the Established Church was held on exactly the same basis as that of any of those noble Lords. At least I understood him to do so; but of course I am open to correction. I do not think the noble and learned Lord is singular in the view he takes; I believe it is held by a great many other persons. But is it to be supposed that there is no point at which the Government would be justified in dealing with the Irish Church. Let us bring it to a practical test in this way:—Suppose that the Members of the Established Church in Ireland dwindled down to 100,000, should we still be bound not to interfere with the temporalities of that Church? If the principle laid down by the noble and learned Lord be good, we should be so bound; but if, as I hold it to be, it is a question of degree, though, as a rule, it is not desirable to touch the property of an ecclesiastical corporation so long as you respect the vested rights of the present holders, the State has a just right to deal with the reversion, if by so doing it works for the good of the whole nation. But my noble Friend (Earl Russell) makes a proposal which, I think, is more moderate and just. He does not hold by the old proposal so well known as the Appropriation Clause. When it was proposed to secularize a portion of the property of the Established Church, many men felt a conscientious objection to that course. My noble Friend proposes to avoid the rock on which that measure split by providing that the Church property shall still continue to be devoted to the purposes of religion. In considering this proposition, let me call attention to the history of Ireland and her present position. What are the facts of the case? The Established Church in Ireland has been regarded by the great bulk of the population as an emblem of conquest. My noble Friend who introduced the question (Earl Russell) pointed out that the Established Church in Ireland is the Church of a very small minority of the whole Irish population; and when the noble and learned Lord compares it with the English Establishment, or the Scotch Establishment, he omits that very important point. At the present time the members of the Established Church in Ireland scarcely number one-eighth of the population. Apply that to Scotland. Taking the population of Scotland at 3,000,000, a minority of one-eighth would be 375,000. If James II. had succeeded in forcing the Episcopalian Church on Scotland, and that at the present day its members only amounted to 375,000, do you think the Scotch people would be satisfied with the existence of such an Establishment? I am convinced that no such arguments as we have heard from the noble and learned Lord would be heard in support of such a state of things either in England or Scotland. If ever the Established Church of England or the Established Church of Scotland should find itself in the position of the Irish Established Church, I venture to say its days will be numbered — or, rather, the numbering its days would be impracticable, so swift, so rapid, would be the destruction which would fall upon it. Why, then, should we not apply the same principle, in justice and equity, to Ireland? The question is, on what principle ought we to proceed? In former times we proceeded on an obvious and intelligible principle. We said it was the duty of the State to teach the truth, and that, as the Established Church taught the truth, we must press it on the entire population, though it was only the Church of the minority, and that minority to some extent alien. We pressed it by persecution; and it is possible that such a system might have succeeded under other circumstances. It has succeeded in other places, such as Spain. But we were not logical. In 1829 we turned round and adopted quite another policy. We gave strength to the Roman Catholics; we raised their spirit, and made them feel that they ought to have equal rights; yet we do not give them that equality which we led them by our measures to ask. Can we suppose that this question can long remain in its present state? No one, even the most extreme person, proposes that you should touch existing interests; but, adopting one of the alternatives referred to by the noble and learned Lord, is the voluntary system one which we ought to contemplate with satisfaction? That, no doubt, is what the Liberation Society would desire, because they are anxious to have that system adopted in England and Scotland. But those who desire the maintenance of the Established Church in England, of whom I am one, would not like to see such a result arrived at in Ireland; and I am convinced that it will be arrived at if some such plan as that recommended by the noble Earl be not adopted. The other course is to carry out still further the principle of the *Regium Donum* and the grant to Maynooth.

I am very far from saying that I do not see grave and serious difficulties in the proposal of my noble Friend. But I think my noble Friend was perfectly justified in bringing this subject again under the consideration of Parliament, as was done last year by my noble Friend on the cross-benches (Earl Grey). There was once an opportunity, when Mr. Pitt was in power, of bringing about a settlement of this question. There may be another opportunity now; but depend upon it will be the last; and I am quite certain that, whatever the difficulties, it will be well worth the while of Parliament and of the country to consider what would be the advantages of such a scheme. What I greatly fear, in dealing with this question of the Church, is, that if you are not very careful you will alienate the Protestants from you, and you will not conciliate the Catholics. Nothing could be a greater mistake than to alienate the sympathies of the Protestant population. There cannot be a doubt that they are the strongest friends of England, and that on all occasions they have shown themselves deeply and warmly attached to the English connection. We are bound by our own interests and by the tenour of our whole history to see that they are supported and cherished. While we do justice to the Roman Catholics, I, for one, will never consent to any measure which will abandon or desert the Protestants. But I cannot conceive why a compromise, such as my noble Friend by his Motion has pointed out, should not be accepted, why Protestants should repel it with abhorrence, or why they should desire that Roman Catholics should be treated otherwise than with justice. They cannot object to it as a recognition on the part of the State of that which they believe to be evil and wrong, because the State not only does not endorse such a view, but by its endowment of Maynooth expressly recognizes and supports the Roman Catholic Religion. They cannot deny that it would be a national measure, because the Churches of all the principal sects that make up the nation would then be recognized, and the Church system would be adapted to the requirements of the various sections of the population. If such a proposition can be carried into effect, it affords a means of escape from an alternative much to be deplored. It has often been said that the Roman Catholics themselves would reject a scheme of endowment; and I believe that as long as they think that by a scheme of endowment you have some plan to obtain State control over the appointment of their Bishops, or to interfere with their peculiar mode of managing their own Church, so long will the indisposition to endowment continue. But I see no reason why, if you bring them to believe that you will give them a share of Church revenues without any such interference, they should not be perfectly willing to accept their share of religious endowment. In the grant of the *Regium Donum* there is a clear precedent for giving to Irishmen not belonging to the Established Church a share in the endowments of the State; and in this way some fair settlement is capable, I believe, of being accomplished of a great and difficult question, which has been called a sentimental grievance, but which, because it is a sentimental, is therefore a dangerous grievance. If you deal with it, I believe you will make the population feel—what it is most important they should feel—that they are treated equally. Let me say a word in answer to those who think that remedial measures have no effect upon opinion in Ireland. I remember having been much struck with an article in one of the Fenian newspapers, headed "Remedial Measures"—for one may be taught even by an enemy. What did the Fenians say on this subject? They said, "Let us hear no more of remedial measures. Remedial measures have done us too much injury already. They have alienated from us the professional classes"—and those who remember the part which barristers took in former outbreaks will see the force of that remark—"they have alienated from us the high commercial classes, the class of Catholic landed proprietors, who otherwise would have favoured us. Let there be no more such measures, or it may happen that they will alienate from us the mass of the population, and rebellion in Ireland will then become impossible." What the Fenian writer did not desire is precisely what I wish to see accomplished. I wish to see the passing of remedial measures; and believing that a measure such as my noble Friend has recommended is one that will do something to meet the wants of Ireland, I cordially support the Motion which he has brought forward.

THE BISHOP OF OSSORY expressed a hope that the terms of the Amendment of which he had given notice, and to which he hoped their Lordships would assent, would show that the friends of the Church in Ireland did not fear the results of such an inquiry as the noble Earl's Motion proposed to institute. He believed that, on the contrary, there was not a well-judging friend of the Church who did not feel that it had a great deal more to hope than to dread from the most searching inquiry, provided it were honestly conducted, and embraced all the facts of the case. The friends of the Church were well aware that such an inquiry would bring out some weak points in its case; but they felt sure that it would bring out some strong points also. And while they readily acknowledged that an institution like the Church was not to be judged by its strong points, they submitted that neither was it to be judged by its weak points—but by a fair consideration of both—both the strong points and the weak—by a fair consideration in fact of the whole case, fairly presented for consideration. Hitherto the Church in Ireland had suffered in public estimation in England, not merely by partial exhibitions of its case, in which all the strong points were kept out of sight and the weak ones only put forward—but by exaggerations of its weak points, so gross and extravagant as never had been ventured upon with reference to any other subject in which the public took any interest whatever. Nor were these exaggerations confined to rhetoric, for the successes of which some abatement is generally made; but the most extravagant general misrepresentations were sustained by precise statistical statements, from which no one thinks of making similar deductions for the simple reason that if they are erroneous, it cannot be from heat, or haste, or inadvertence. It can only be the result of design. And yet these arithmetical statements contained exaggerations, to the full, as gross as any of the flights of oratory which they were brought forward to sustain. In charges against the Church in Ireland, the force of which entirely depended upon the contrast between the small Church population of Irish parishes and dioceses, and the corresponding large population in England, the small numbers were made deliberately smaller, and the large numbers larger,before they were used. Incredible as it must sound, he said, the true numbers for Ireland were divided by five, by ten, by twelve, and even by twenty and more, in these statements. And the large numbers were multiplied in the same way, though not to the same extent. He felt that such a statement was not to be made without proof; and, unwilling as he was to trespass on the attention of their Lordships, who must be little disposed after the excellent speech of the noble and learned Lord who spoke after the noble Earl, to listen to everything on the same side, he must ask leave to bring forward a few examples in support of the strong statement which he had made. And after adducing some examples from *Hansard,* he proceeded to say, that he trusted that few as these instances were, they would be felt to justify all that he had stated of the grossness and extravagance of the misrepresentations of the Church in Ireland which had been put forward even in Parliament. And if the proposed inquiry conferred no other benefit upon the Church than securing it from a repetition of such shameless misrepresentation, there would be a sufficient reason for not opposing the Motion. But he hoped that it would not only put on record an authoritative contradiction of such calumnies, but would also record authoritatively the true state of the case. This had been long ago ascertained, and had been stated again and again. And the same might be said of everything with reference to the Church into which the Motion proposed to inquire; but some advantage might be expected from re-stating it on the authority of the proposed Commission as the result of their investigation of the case. And, in addition to these reasons for expecting benefit to the Church from such an inquiry, he might add that, as a matter of experiment, it had actually derived no small benefit from more limited inquiries in times past. It had more than once happened that the Papist calumnies against the Church had been perseveringly circulated and fully believed until the results of official inquiries into the points so misrepresented were made known, and that they had then come to an end. He gave as examples of this effect of inquiry the calumnies against the clergy as exacting and rigorous in the collecting of tithe, which were believed for generations in England and on the Continent, and which were finally and triumphantly refuted by the inquiry into the amount of tithe collected in Ireland, when the composition for tithe was introduced by law. And, again, another instance was supplied by the extravagant exaggerations of the wealth of the Church, which were continually repeated until Lord Althorp was enabled by official examination of the case to expose and denounce them. He anticipated similar results from the proposed inquiry, and therefore his Amendment did not propose to restrain or limit it. He only desired to interpose a safeguard to prevent the inquiry from being made the foundation of an attempt to divert a portion of the Church revenues from their proper purposes. The part of the Motion which he proposed to leave out was, in fact, a revival of the old Appropriation Clause in rather a stronger form than the noble Earl had ventured to propose it more than thirty years ago. It was then resisted strenuously by the friends of the Church, both on grounds of policy and of principle, and, after a few years' contest the noble Author of it was forced to abandon it. All the reasons which were then successfully urged against it were at least as strong against this revival of it. He had no doubt that they would be brought forward again with the same effect if the question should be again debated. He trusted, however, that it would not be necessary to re-argue that question; but that the vote of their Lordships' House on his Amendment would prevent this renewed attempt to despoil the Church from reaching a stage in which it would be necessary to reproduce the powerful arguments by which the defenders of the Church of a former day had defeated it.

An Amendment *moved* to leave out the Words after "Management" to the end of the Motion for the Purpose of inserting the Words "and also as to the Means by which they may be made best to promote the Efficiency of the Established Church in Ireland."—(*The Lord Bishop of Ossory, &c.*)

THE BISHOP OF DOWN AND CONNOR said, he should have preferred to remain silent upon this occasion, but he was so deeply impressed with the gravity of the proposal to reconstruct the temporalities of the Irish Church Establishment that he felt bound to speak. He well remembered that on one occasion the noble and learned Lord (Lord Cairns) when Member for Belfast had visited his diocese, and had spoken forcibly with reference to the anomalies existing in the Irish Church. He said those anomalies should not be permitted to exist, and that statesmen should apply themselves as practical men to the task of doing away with them. He (the Bishop of Down and Connor) fully concurred in those sentiments; but, while thanking the noble and learned Lord for the manner in which he had on several occasions defended the Irish Church, and for the kind and generous manner in which he had spoken of the Prelates and clergy of Ireland, he could not help regretting that in his speech of this evening he had not suggested a single expedient for redressing the anomalies of which he had before so grievously complained. He (the Bishop of Down and Connor) fully concurred in the opinion that the surplus revenues of the Church should be devoted to subjects not purely ecclesiastical, but of a kindred character, and he would state therefore what he believed would be a just and reasonable compromise, and what his reasons were for so thinking. He would not weary their Lordships by going at any length at that hour into dry statistics, but it was necessary to refer to a few of the most striking anomalies, because it was to the existence and the defence of such as these that he believed the greater portion of the agitation and irritation which prevailed both in and out of the Church was attributable. There were thirty-four benefices in Ireland, in which the whole population belonging to the Established Church numbered only 199 persons, whilst the population not belonging to the Established Church numbered no fewer than 45,000, and the per centage of revenue per head was £20 for each Protestant. Anomalies, however, of an isolated character were no doubt to be found in every Church; but many more instances of this kind could be adduced. In three dioceses in Ireland, presided over by three Bishops, and containing 4,500,000 statute acres, out of 1,110,000 inhabitants, only 44,000 were members of the Established Church, for whose spiritual necessities three Bishops, ten deans, eleven archdeacons, and 315 clergymen were maintained. While this was the case, there were other districts in which the revenues were perfectly inadequate to the spiritual necessities. The see, for instance, over which he himself presided, contained one-fourth of all the members of the Established Church in Ireland; but instead of possessing a corresponding proportion of the total revenue, the income derived for the purposes of the Church did not exceed one-eleventh. He would now suggest a remedy for the existing state of things—though he was perfectly aware that in so doing he was undertaking a very unpopular and thankless task. He did not feel called upon to enter upon the question which had been introduced into the debate—the endowment of the Roman Catholic Church; he would simply confine himself, as a Prelate of the Church of Ireland, to considering how that Church might be rendered more efficient for the discharge of the important and responsible duties confided to her. He would, in the first place, take all the revenues of the Established Church in Ireland, from whatever source derived, and have them distributed from one common fund, a plan which would, he believed, in itself go far towards allaying the present agitation. He would then give to landlords the power of redeeming the revenues by so many years' purchase, and would sell the extra glebes, not wanted for the purposes of the clergy, to the landholders in the neighbourhood of whose property they were situated. In reference to his own order, he might state that, with 1,500 benefices, and 2,100 clergymen, Ireland possessed two Archbishops and ten Bishops —a state of things which even the most zealous supporter of an increase to the Episcopate could never hope to see in England. The 1,500 benefices and the 2,980 clergymen might fairly be reduced by amalgamation to 1,300 of the former and 2,000 of the latter, while six Bishops and one Archbishop might fairly undertake their management. This would not give an average of more than 186 benefices and 286 churches for each Bishop. The benefices should be classed according to their population; the income of each clergyman being regulated by the class in which his benefice was placed. Speaking on behalf of the working clergy of Ireland, he desired to see the funds of that Church supplemented by private benevolence to be applied to the education of the children of the clergy. He should not object to the surplus revenues of the Church being applied to such objects as the education of the Church's children, and to the relief of the Church's poor. In order to fully carry out such a proposition, it would be necessary for the landowners in Ireland to sacrifice a portion of their tithe rent-charges. If this proposal were carried into effect they would no longer see clergymen without benefices and flocks in a state of spiritual destitution. In reference to what had been said of the feelings of the Irish peasantry towards the clergy of the Established Church, he denied that those feelings were embittered by anything like a general tone of animosity. It was a mistake that the Roman Catholic population in Ireland regarded the Protestant clergy with hostility. Except in parishes where local agitation prevailed, the Roman Catholic population regarded the Protestant clergymen in the light of a kind friend and a generous neighbour. The Roman Catholics of Ireland had not forgotten that when a dark shadow was cast over her land, when her children were being wasted by famine and pestilence, the clergy of the Established Church endeavoured to relieve their wants, and gave them their sympathy and succour regardless of party or religious differences. He did not know whether or not Her Majesty's Government had determined to issue the Commission now moved for; but he warned the noble Earl at the head of Her Majesty's Government, in case he decided to grant the application — the policy of which course he very much doubted—not to permit the Commission to represent the views or be bound by the rules or objects of a Society called the Church Institution. To that society he once belonged; but he had withdrawn from it because he conceived it to be a mere political organization for party purposes; and he ventured, with all courtesy and deference, to inform the Goverment that if it consented to receive deputations from that Society it would ill discharge its solemn obligations to the State or show its attachment to the Church. Their Lordships might have heard this statement with surprise; but their surprise would cease when he told them that that Institution had drawn up a code of instructions to bind and govern the Commission, and that that code had been placed in the hands of the noble Earl at the head of the Government. [The EARL OF DERBY said, that he had not received such a document.] He had been misinformed upon that point; but he could assure their Lordships that to carry out the views of that Society would not conduce to the happiness of the people of Ireland. He would conclude by warning their Lordships that it was the mistaken friends of the Church who endeavoured to palliate or excuse the anomalies which he had attempted to bring before them. Let those mistaken friends beware of what they are doing, and recollect the warning contained in the Sibylline Leaves—

> "Quos Deus vult perdere prius dementat."

THE EARL OF CLANCARTY: My Lords, the importance of the subject under discussion to that part of the United Kingdom with which I am connected will, I trust, justify my addressing to your Lordships a few observations. To the Amendment that the right rev. Prelate has moved to the Address proposed by the noble Earl opposite (Earl Russell), I should give a most cordial support, were it not for the views expressed by the right rev. Prelate who has just sat down, who contemplates, as the result of the proposed inquiry, the introduction of very extensive changes in the Church Establishment, including a reduction of the Episcopate from ten to seven, and of the parochial clergy from its present number (already inadequate to the requirements of the ministry) to 2,000, and the creation thereby of a surplus revenue to be made applicable to educational purposes—in fact a revival of the old Appropriation Clause. But, although I cannot subscribe to the peculiar views of that right rev. Prelate, I am so strongly of opinion that a more economical application of the revenues of the Church would, by increasing its efficiency, conduce to the spread of religion in Ireland, that I hope the noble Earl at the head of the Government will concur in the Amendment of the proposed Address. It would, however, be desirable, nay, necessary, should the Amendment be agreed to, that the Commissioners should be instructed to take up the question of Church patronage, and to report whether any and what changes could be made in it consistently with vested rights, inasmuch as any measures that would affect the value of benefices favourably, or otherwise, would proportionately affect the value of advowsons. It would also be very desirable, as the endeavour has been made to exhibit the Establishment as wealthy beyond its requirements, to inquire and report what aids it receives from voluntary sources; from the Spiritual Aid Society, the Society for Irish Church Missions, the Irish Society, private benefactions, and from the endowments of proprietary churches. The amount of voluntary aid to the ministry of the Church, I think would show, not only that it has much need of such aid, but that its ministrations are highly valued. Although the Motion of the noble Earl would appear to involve the case of Ireland only, none who consider from whence the agitation against the Established Church in Ireland proceeds—for I do not concur with the noble and learned Lord who spoke second (Lord Cairns) that the anti-Church endowment party or the Liberation Society is the originator of the movement this evening inaugurated—none who are aware that it springs from the inveterate hostility of the Roman Catholic hierarchy to the Protestant religion and Protestant Government of the United Kingdom can, unless a total stranger to the policy of Rome, feel any doubt that the uprooting of both one and the other, and the establishment of Papal rule upon the ruins of British Protestantism, is the object that the hierarchy will constantly aim at until it is accomplished. It may be said that I am speaking in direct contradiction of a solemn declaration made and subscribed by no less than thirty Archbishops and Bishops of the Roman Catholic Church in Ireland—in fact, by the whole body of that prelacy—and so I am. The following declaration of theirs in 1826 is recorded by one of their own body, the celebrated Dr. Doyle, Roman Catholic Bishop of Kildare and Leighlin:—

> "The Catholics of Ireland, far from claiming any right or title to forfeited lands, resulting from any right, title, or interest which their ancestors may have had therein, declare upon oath that they will defend to the utmost of their power the settlement and arrangement of property in this country as established by the laws now in being. They also disclaim, disavow, and solemnly adjure any intention to subvert the present Church Establishment for the purpose of substituting a Catholic Establishment in its stead; and further, they swear that they will not exercise any privilege, to which they are or may be entitled, to disturb and weaken the Protestant religion and Protestant Government in Ireland."

But this declaration, at once so solemn and so full on the part of the hierarchy, while the Relief Bill was in the balance, does not appear to have been held in respect by their successors at the present day, for we find the assurances then given flung to the winds by Archbishop Cullen, who, at the head of seven Roman Catholic Bishops, were parties, on the 29th of December, 1864, to a Resolution to this effect—

> "That we demand the dis-endowment of the Established Church in Ireland as a condition without which social peace and stability, general respect for the laws, and unity of sentiment and of action for national objects can never prevail in Ireland."

Does the noble Earl (Earl Russell) truly believe that the prosperity of Ireland will be advanced by his agitation against the Established Church? Does he really believe that the happiness and well-being of the Irish people would be promoted by its subversion? Why, then, did he not during the long series of years that he either presided over, or was an influential Member of the Cabinet, and while he was supported by a strong party and favoured with the full confidence of his Sovereign — and when, therefore, the duty was more especially laid upon him to advise and to act for the good of the people, why did he not then attempt to remove the anomaly and the grievance that he now represents the Church to be? Was it not his duty to do so then, when he had the power, and would properly have been held responsible for its exercise, rather than now, when I hope he has not the power, and, when acting with the immunity of an irresponsible agent, he can only disturb the public mind by his proceedings? Has Ireland not suffered enough from the Fenian conspiracy that was allowed, under the late Government, to mature unchecked until it was upon the eve of producing a bloody rebellion, that the noble Earl now comes forward to add to her sorrows by evoking, with all the influence of his character as a statesman and philanthropist, the demon of sectarian hatred with which it is but justice to the Fenians to say that Fenianism, though confined to the Roman Catholic population, was untainted? While the noble Earl was in office, he appeared to be actuated by very different views. The Administration with which he was connected gave no countenance to the agitation of the Church question; but, on the contrary, when the Church was attacked, took up its defence. Thus, in 1865, we find Sir George Grey, in opposition to Mr. Ayrton's Motion, thus speaking of the Irish Church—

> "It rests upon the prescription of centuries, it is rooted in our institutions. The firm belief of the Government is that it could not be subverted without revolution, with all the horrors that attended revolution."—[3 *Hansard*, clxxviii. 400.]

The late Chancellor of the Exchequer also, in vindication of the character of the Church, thus expressed himself—

> "My belief is that as far as abuses, in the common sense of the word, are concerned—that is, those which depend on the conduct of the bishops and clergy, and which are remediable by the wisdom and energy of the clerical body, or the purity of life of its lay members—it is my belief that the Irish Church is perfectly free from such abuses. We must all accord to that Church this praise; that the clergy are a body of zealous and devoted ministers, who give themselves to the high purposes of their sacerdotal functions in a degree not inferior to those of any Christian Church."—[*Ibid*, 420.]

Such were the sentiments of those who, in the noble Earl's Government, very lately defended the Church he is now assailing. His Protestantism stood high in public estimation. As the advocate of the open Bible, his words at a meeting of the British and Foreign Bible Society have been often quoted and always carried great weight, as well from their intrinsic good sense as from the personal character of him by whom they were spoken, and it will not readily be forgotten in what strong—I may say unmeasured—terms, at the period of the Papal aggression, he denounced, in his celebrated Durham Letter, the character of the Papal system, as one that "confined the intellect and enslaved the soul." The noble Earl, in now coming forward to attack the Church, may assist the designs of the Roman Catholic hierarchy; but unless he goes over and reads his recantation he will not be accepted by them as a trustworthy ally. They will regard him only as a rash, fickle, and inconsistent Protestant. Neither will he thus win the confidence of the Roman Catholic laity. The testimonies of Roman Catholic gentlemen of such respectability as the late Mr. Anthony Blake and Mr. Serjeant Shee, as well as of the great advocate of the Roman Catholic claims, the late Lord Chancellor Plunket, are conclusive of the feeling of the educated portion of the Roman Catholic laity upon the subject of the Established Church; and if any man more than another knew what his countrymen regarded as grievances, that man was the late Mr. O'Connell. Yet not one word does he utter of hostility to the Protestant Church on that occasion on which of all others he endeavoured to collect and detail the grievances of the Irish people—I mean on the occasion of his Motion for the Repeal of the Union. In his long and able speech he reviewed all the grievances, both before and after the Union, arising from Ireland's connection with England, and the Protestant Church was not among them, and in noticing the articles of the Union itself, of which the inviolability of the Church Establishment is named as a fundamental condition, not one word of complaint does there appear of the provision therein made for the security of the Church. This is, it is true, but negative evidence. I do not say that he was attached to the Church; but a few years after the Church Temporalities Act had passed, reducing the number of bishops and archbishops by half, his only observation on it was a taunt to the Government that they had deprived the country of so many respectable resident gentlemen. I do not suppose that the noble Earl knows the Irish people better than Mr. O'Connell, or than the authorities regarding their sentiments that have been quoted here this evening. It is therefore probable that he will not earn by his proceeding this evening the popularity for which he seeks. A much stronger argument, however, against the Establishment than any we have heard this evening has lately been suggested in "another place" by Mr. Gladstone, who is reported to have said that the Protestant Church cannot be upheld on the ground of truth. My Lords, if this argument could be justified as one to be brought against the Church, I would say, not that the Church cannot, but that it ought not, to be upheld, for the State is not justified in teaching as Divine truth that which it does not believe to be so. But how does Mr. Gladstone attempt to establish his argument. His words do not lead me to believe that he spoke from his own convictions. But he refers to the establishment of Maynooth College. "If, says he, "you maintain the Established Church in Ireland on the ground of truth, you cannot, at the same time, maintain a priesthood who teach the people that the truth is not in that Church." My Lords, I must leave to the supporters of the Maynooth Act to defend its inconsistency with their Protestantism—a creed that rests upon God's Word. Very evil, indeed, will be the day, if ever it arrives, that the Parliament of the United Kingdom shall not be able, by an overwhelming majority, including even supporters of the Maynooth grant, to affirm that the Bible—the religion of the Bible, which is the Protestant religion—is the truth. Episcopalians, Presbyterians, and other nonconformist Protestants form a great Protestant community, and the Church established in connection with the State is a guarantee for its maintenance; and I trust that the light of a pure and Scriptural Christianity will ever be thereby maintained by it in this free country.

The Duke of ARGYLL: My Lords, I hope the time may soon come—I wish heartily it had come already—when we might adopt in regard to the affairs of Ireland the same course which is almost uniformly adopted in regard to the affairs of Scotland—when we may leave to those Members of both Houses of Parliament who are connected with those countries the debating and the management of their own affairs. As matters now stand, we cannot help thinking and feeling that the affairs of Ireland are matters of Imperial concern. In intruding myself in a matter which is undoubtedly, eminently, and peculiarly Irish, I come to the consideration of it from a point of view somewhat different from that of the noble Earl, but I think it will not be found less favourable to the people of Ireland. I cannot help asking myself—and I am led to do it again, by the admirable and solid speech of the noble Earl who opened the discussion—what would have been the condition of Scotland, what would have been the feeling of its people now, if a religious communion numbering less than one-eighth or one-seventh of the whole population had been placed by the Imperial Parliament, or rather, I ought to say, by the English Parliament and by the force of English troops, in exclusive possession of the whole ecclesiastical property of the country? I can only say that if my most rev. Friend who now presides over the see of Dublin had been sent to preside over the diocese of Edinburgh, much and deeply as I respect and admire him—I will not say that I should have thrown at him the three-legged stool to which my noble Friend referred—but I do say I should have left no stone unturned, with the great majority of my countrymen, until by legal and constitutional means I had asserted for the Presbyterian majority of the people that equality of civil rights which is due to them by English justice. It is the misfortune of every discussion on the Church of Ireland—shall I say it is the misfortune?—in some respects it is the advantage—but it is a peculiarity of every discussion in regard to the Church of Ireland that we are plunged at once into a discussion of first principles. I was delighted, therefore, to hear the noble and learned Lord (Lord Cairns), who answered the noble Earl in a speech characterized by much acuteness and ability, direct the attention of your Lordships and the country to a question of fundamental principle—namely, how are we to define an Established Church? I would rather put the question in another form. It is a more definite question, and goes more directly to the point. The question is, what are tithes? That is a fundamental question as regards the argument founded upon property. Here I would direct the attention of the House to the wording of the Motion of my noble Friend. It asks for an inquiry into the property and revenues of the Established Church of Ireland. I do not know whether the noble Earl meant to indicate a distinction between property and revenues, which is nevertheless important; and it is an answer to one of the arguments of the noble and learned Lord. The Established Church of Ireland is in possession of funds which, in the strictest sense of the word, may be called property. It is also in possession of funds which are not property, but are in the nature of revenue, at the disposal of the Imperial Legislature. Since the Reformation, the Established Church of Ireland has received very large benefactions from private persons. It has also received these glebe lands to which the noble and learned Lord referred. In regard to them, various questions, into which I shall not now enter, may fairly be raised. Whether or not they belong to the same category as tithes; undoubtedly they stand upon a somewhat different footing from tithes. I ask what are tithes? I venture to maintain, against the authority of the noble and learned Lord—although I am not sure that he committed his authority upon that question—that tithes are a fund, not strictly a tax, but rather a reserve of rent, charged upon the land of the country, which are entirely at the disposal of the supreme Legislature of the country. They are not private property, they are not even corporate property, they are not, as Sir James Graham argued in 1835, trust property; but revenue at the disposal of the State, to be disposed of with those considerations of prudence and of respect for existing rights which Parliament ought always to follow. What is the proof of the principle I have now laid down? In the first place, we have the great fact that tithes were at the Reformation transferred from the Roman Catholic to the Protestant community. There is only one argument I have heard against this. Here I would observe it is quite as important to maintian religious doctrines against the Roman Catholics as it is against the extreme view of the Protestants in Ireland. The noble and learned Lord (Lord Cairns) referred to an able and remarkable pamphlet which has been published by Dr. Moriarty, Catholic Bishop of Kerry. I wish also to ask attention to a sentence in this pamphlet, because it shows how indispensable it is, if Parliament is to take a firm line on this great question, to maintain its own freedom of discretion, that it shall take a strong ground not only against ultra-Protestantism, but also against the claims of the Catholic priesthood. What does Bishop Moriarty say? He is guilty of great inconsistency, because in arguing against the claim to property as advanced by the Protestant Church, he distinctly calls tithes a national tax, at present devoted to the maintenance of Protestantism. In the same page he says—

> "The tithe rent-charge is a tax on the land of the country, of which the landlord pays his share, and of which he is the collector."

A few pages on, when he comes to plead his own claim in regard to the disposal of these tithes, if they are dealt with by Parliament, we find him laying down this remarkable doctrine—

> "Before answering the objections which we stated at the outset, we must bear in mind that the Catholic Church is the rightful owner of all ecclesiastical property in this country, with the exception of what the Protestant Church may have acquired since its separation. There has been no Concordat ceding this property to the British Crown or sanctioning its secularization, We acknowledge no prescription in this case. The Church does not allow a Statute of Limitation to bar our claim. The title of the Protestant Church has not even a colour of validity. Our right is in abeyance, but it is unimpaired. We must also bear in mind that while the Catholic Church, as a spiritual corporation, is the rightful owner of the ecclesiastical property, we, the bishops and priests, could be only possessors of it for the time being, with right of use or usufruct, according as the property might be personal or real. We have therefore no power to aieniate it, or to demand its secularization, unless with the sanction of the Pope, who is, by Christ's appointment, the supreme ruler of our great spiritual commonwealth."

Now, I protest against this monstrous claim of Bishop Moriarty, and likewise against the claims urged by ultra-Protestants. I maintain that tithes are the property of no one, but they are at the absolute and free disposal of the State for any purposes to which the State may think fit to devote them. The only way by which we can oppose the claims of Bishop Moriarty is to maintain the doctrine which I have laid down — because unquestionably there was a transfer at the time of the Reformation to the Protestant minority of the Irish people. One favourite argument — which, however, I am glad to say I have not heard in the course of the present debate — is, that the Established Church of Ireland is the legitimate descendant of the Church of St. Patrick, and that, indeed, the same Church holds the same property. I believe the only foundation for this argument is that a certain number of the then existing Bishops did undoubtedly conform to the Protestant faith at the time of the Reformation; but I think it has been sufficiently proved by Mr. Froude that only a very small minority of the Prelates adopted that course, and that the vast majority of the Bishops, of the clergy, and of the people, remained in communion with the Roman Catholic Church; and I must maintain that even if every Bishop and priest in Ireland had become Protestants, and the people had refused to follow them, the clergy would not have had the right to the enjoyment of these funds. This, then, being the state of the matter, and Parliament being free to deal with the tithes of Ireland, the question arises whether there are any considerations of Imperial policy which should preclude us from interfering with the present state of things. An argument used on behalf of the Irish Church by a right rev. Prelate (the Bishop of Oxford) is that these tithes ought to be continued in the possession of the Protestant Church, on the ground that, although the people do not belong to it, it is a missionary Church. Now, I hold that it is not the duty of the State to support missionary Churches —at all events, where the people forming the State are disunited on the subject of religion. In such a case, I deny absolutely that it is the duty of Government to maintain a Church for the purpose of proselytizing any portion of the inhabitants of this kingdom. But this argument is inconsistent with the admission made to-night by a right rev. Prelate opposite (the Bishop of Down and Connor) in regard to the statistics of certain Irish parishes. He admits that there are many abuses and anomalies in the distribution of the funds of the Irish Church, one of them being that there is a large number of parishes containing between 100 and 200 inhabitants, in every one of which there are fewer than twenty-five Protestants belonging to the Irish Establishment. Now this is a great anomaly, if the Church is the Church of the people ; but it is no anomaly whatever if it is a missionary Church, for then there ought to be a Protestant clergyman in every parish, and more particularly in those parishes almost exclusively Catholic. Then there is another argument in favour of the existing state of things, and it has been alluded to in connection with the Treaty of Union, or at least with the Act of Settlement by the noble and learned Lord. It is asserted that a bargain was struck at the time of the Union between the two countries, and it was said that the Protestant Church ought to be upheld by the united Legislature of the two countries. If the bargain had been made under equal circumstances between the two countries that argument would be of some avail ; but considering that it was struck by the Imperial Parliament and by a small minority, although the nominal majority, of the Irish people it does not hold good as a bargain. If the majority of the representatives of the Irish people are at the present time in favour of continuing the Protestant Established Church in Ireland, by all means let neither the Scotch nor the English Members interfere with those Members who represent the Irish people. If, however, you find that the great majority of the Irish people are not in favour of the existing state of things, but that, on the contrary, they insist upon great changes being made respecting the Established Church we, as the representatives of the other two great kingdoms of this empire, are released from the bargain, such as it was, which was entered into, and are free to deal with the altered circumstances of the case. Now, if Parliament is free to deal with the Irish Church, and if we are called upon to deal with it in reference to an altered state of things which has since arisen, the question arises as to the direction in which we ought to move. My Lords, I confess that for myself, where an Established Church ceases to be desirable or possible, I should very greatly prefer that we should have recourse to the system of free, unpaid, and dis-Established Churches. No man can doubt that Free Churches are the future of the world. This is the system adopted in all the colonies of this country, with the single exception of the Lower Province of Canada which inherited its system from France. This system of Free Churches has also been adopted in the United States, and it has been shewn to be, in my belief, a system not injurious to the interests of religion. The noble and learned Lord (Lord Cairns) asked on what principle were Established Churches founded. Well, it is impossible to answer that inquiry, because all Established Churches are historical institutions. They were not formed and planted by particular statesmen or at particular times, but grew up out of mediæval Europe. They are admirable institutions where certain conditions of society co-exist with them, and I should regret to see the time when the conditions of society in this country cease to be compatible with the maintenance of the Established Church. But there is one theory now prevalent in regard to Established Churches, against which I shall individually protest, namely, that they are devices by which men who absolutely disagree on the most fundamental principles of Christian dogma are held together by considerations of pecuniary interest and legal obligation within one ecclesiastical organization. If the time should arrive when the Church of England should be so interpreted generally, I think it would be infinitely better for the State and also for the interests of Christian truth that the connection between Church and State should be severed. But this is speculative matter, whereas we have to deal with the practical case before us. In Ireland, and in Ireland alone, we have already entered on that course which has been pursued by many continental nations, in which more than one communion receives support and encouragement from the State. You have in Ireland the Episcopal Church in exclusive possession of the glebe land and tithes, the Presbyterian people and clergy in the North in possession of the *Regium Donum*, and the Roman Catholics in possession of the College of Maynooth.

You have, therefore, to a certain extent already entered upon and are, to a great extent, committed to the principle adopted by so many continental States of thus paying in various proportions more than one religious body. You have not now in Ireland what you have in Scotland—an Established Church in the sense of a Church in respect to which the State pronounces a judgment that its teaching is religiously true, and to which alone the State gives encouragement and support; you have in Ireland — and I am astonished that the noble and learned Lord seemed to forget it—the State committed to the support of three different forms of religious belief. How does the noble and learned Lord reconcile that with his doctrine of an Established Church—namely, that it is the duty of the State to select religious truth and endow that alone? That, however, is a theory of bygone days. To a certain extent, indeed, it is retained in England; but we have not now to deal with it in Ireland. In regard to the general direction in which we shall move, I think that has been already determined to a great extent by the existing state of things. I repeat that I should infinitely prefer to see the withdrawal of the *Regium Donum* and the grant to Maynooth than a further extension of such a system—and I have the very strongest opinion that Parliament will never sanction further grants for the support of religion out of the Consolidated Fund. As I understand it, no noble Lord will be committed to any particular plan by voting for the Motion of my noble Friend. The noble Earl (Earl Russell) has sketched out a plan which he avows he adopted after many changes, as was most natural with a question of such importance, but I did not understand him as intending that any noble Lord should be bound to any particular plan of distribution, such as he himself has sketched out. Therefore, the Motion of my noble Friend is simply a Motion for inquiry—with words, no doubt, added to the end of it, that no mere re-distribution of funds within the Established Church would give satisfaction to those who are advocating a change in Ireland. And can any man doubt that a mere re-distribution of funds within a body comprising only one-seventh or one-eighth of the whole population can answer the objection of those who complain that such a minority should be in exclusive possession of the ecclesiastical funds of the country? My

Lords, I could not but think that one argument, put forward in favour of preserving the temporalities of the Established Church for that Church, tells as strongly against those who used it as it can possibly do for them. I would ask the right rev. Prelate who advocated the plan (the Bishop of Down and Connor) what justice would there be in abstracting from certain parishes in the South, where there are only a few or no Protestants, the ecclesiastical funds, and distributing them over parishes in another part of the country where there are more Protestants? There is a natural sense of justice which we ought to maintain in all our laws; and the ecclesiastical funds of a particular parish or district were intended for the particular benefit of that parish or district. I concur with the right rev. Prelate that we cannot stand still in the matter; but I believe he is mistaken in supposing that by any mere re-distribution of the ecclesiastical funds or any abstraction of the tithes of parishes we can either satisfy the people of Ireland or deal justly with them. My Lords, you may be able to defend the Irish Church by your votes; you may be able to defend it by standing with your back to the wall and fighting against all comers; but the moment you move principles will be urged on the adoption of Parliament which will go a great deal further than the right rev. Prelate supposes. For my own part, I am very glad that my noble Friend did add the words which have been so much commented on to the words of his Notice. When I read that Notice first, it appeared to me it might indicate the conviction or belief that a mere re-distribution within the bounds of the Established Church might be accepted as a solution of the question. But my noble Friend can hardly suppose that the Motion in its altered form would be acceded to by the noble Earl opposite (the Earl of Derby), because, though we have had some experience this Session of how much the Conservative party may be made to yield on important questions, I should be very much surprised if we found the noble Earl departing from the position taken up by him some years ago. I think the noble Earl must have felt those words in the Motion of my noble Friend as the sound of a trumpet calling him to fight once more the battles of his earlier years. They must have reminded him of his triumph in former years. I say his triumph, for no one can doubt that by the reform he effected thirty-four years ago, and the gallant resistance he made to the appropriation of the funds of the Church to any purposes other than those connected with the Church herself, he procured a new lease for her; but, to use an Irish simile, it was a lease of lives, not renewable for ever. The lives in that lease are dying out; a new generation has sprung up, with new ideas and new principles, and no mere re-distribution of funds within the Irish Church will again secure for her that renewal of existence and that peace which undoubtedly were secured by the noble Earl's triumph in 1834. I hope that if the House means to enter into this question, they will not content themselves with any plan for a mere re-distribution, but go into the whole of the facts, and deal with the matter in a comprehensive manner. We are now entering on a period of renewed political activity. Parliament is now considering the first principles of onr political institutions. We are told on high authority that the new state of things will be favourable to the Conservative party, and satisfactory to the country. I am no prophet; but I cannot help looking at the fact that the class below the middle class are men less bound to Established Churches than the classes above them. They have less feeling with the ecclesiastical arrangements of the country; they are less under the influence of churches. I believe and hope that there is what may be called a strong "No-Popery" feeling still among the people; but I hope that feeling has taken a more intelligent direction than it took in former times. If the people see any danger of a Roman Catholic re-action, it is among the higher classes. But whatever may be said as to the danger from Popery, I trust the people will feel more every day that the interests of religion cannot be forwarded by a close and intimate alliance with political injustice.

THE EARL OF DENBIGH said, he would congratulate the House on the good feeling with which the debate had been conducted, and he hoped that he might look upon that as an earnest that their Lordships would apply themselves to consider how best to legislate for the good of the people of Ireland. He believed that the noble and learned Lord (Lord Cairns) had made as good a defence as it was possible to make for the Established Church in Ireland; but the Irish people did not enter into subtle distinctions, and no one could deny that the Established Church in Ireland was an anomaly. If such an Establishment existed in any other country we should regard it as a scandalous anomaly. It was not at all to be wondered at that the Irish people, quick as they were to appreciate injustice, should regard the existence of the Established Church in Ireland as a real and substantial grievance. He could not say that the Church was considered as the greatest grievance in Ireland. On the contrary, he thought the land question and the question of education interested the people still more; but the Church question was the one which could be most easily used by demagogues to rouse the passions of the Irish people and influence them against the Government, because it was the most patent injustice. He trusted the Government would consider whether it was not possible so to deal with the question as to satisfy all parties. Even were they to appropriate part of the revenues of the Established Church to the use of the Roman Catholic clergy in Ireland, he doubted whether that clergy would accept it, and in any way put themselves under the control of the State. He had often heard it said by Prelates of the Roman Catholic Church in Ireland that they did not wish to despoil the Protestant clergy of their revenues. They looked upon them as a very amiable and able body of men, doing their duty to their country as good neighbours and kind friends of the poor. If they confined themselves to these ordinary duties not a finger would be held up against them. But the mistake was unhappily made of holding out the Irish Church as a missionary Church—and he had read with great pain the speech made by the Bishop of that Church most recently appointed, who stated on the occasion of his enthronization that he believed it to be his duty to act as a missionary among the Roman Catholic population—for he thought such a declaration was calculated to excite hostile feelings in the people of Ireland. He did not question the perfect liberty of the right rev. Prelate to adopt that view, but he believed it to be an entire mistake, and it would be well if all were to act upon the principle that religion was a thing between a man and his God, and everyone was to be at liberty to worship as he thought best, using no influence but moral persuasion. He hoped and believed from the declarations of Her Majesty's Government at the commencement of the Session, and from the spirit which they had since evinced, that they would deal with this question upon its own merits, and without reference to anything which previous Conservative Governments might have done. He could not agree with the view which the noble Duke (the Duke of Argyll) had put forward respecting the noble Earl at the head of the Government, for he did not believe it to be the duty of a legislator always to take a line and abide by it. We lived and learnt, and it was never too late to mend. He had every reason to believe that the Government desired to look fairly at the grievances of Ireland; and he hoped they would consider this question on its merits and grant the Commission. Personally he had to thank the noble Earl and Her Majesty's Government for the courteous and ready attention which they had given to his representations of Catholic claims and grievances on various occasions; and he had also to thank their Lordships for the patience with which they had listened to his observations.

THE MARQUESS OF CLANRICARDE said, he desired to say a few words on the subject, as the Motion was one to which he had himself given notice of an Amendment. He differed altogether from the noble Duke (the Duke of Argyll), entertaining as he did a strong opinion in favour of payment of the Catholic clergy of Ireland, and he thought the House ought to have an opportunity of discussing the point. As regards the Established Church, he wished to know with what view the inquiry was proposed. What end had the noble Earl (Earl Russell) in view respecting the revenues of the Established Church? If he meant to do nothing why did he seek to institute the inquiry? The noble and learned Lord (Lord Cairns) who spoke early in the debate with the acuteness and learning for which he had long been celebrated, argued the case on behalf of the Irish Church; but he thought he had omitted to notice the real point of the question, for he spoke throughout as if the people of Ireland existed for the Irish Church, and not the Irish Church for the people. He proved, no doubt, if his figures were correct, that the endowments of the Church were not too large for the Protestant inhabitants of Ireland. But taking these at 600,000 or 700,000, if it cost £500,000 to support a Church for Protestants, what must the poor Roman Catholics of Ireland be paying to support their Church, which was more ritualistic and ceremonious than our own? This was not a sentimental grievance, but a real practical grievance pressing upon the people. Like his noble Friend who brought forward this Motion, he had not been able entirely to approve the Motion proposed last year by his noble Friend on the cross-benches (Earl Grey), and he much wished that the questions of the Established Church and of payment to the Roman Catholic clergy could have been kept distinct. Even if there were no Establishment existing in Ireland, he should wish to see one created for the sake of giving payment to the Roman Catholic clergy. All the best authorities for the last fifty years had concurred in the opinion that Parliamentary provision ought to be made for the Roman Catholic clergy. He might instance such names as Lord Cornwallis, Pitt, Castlereagh, Canning, Lord Plunket, and Lord Wellesley. Sir Robert Peel also —then Mr. Peel, and the most formidable and able opponent of the Roman Catholic claims—declared, in 1825, that if emancipation were carried he should not object to provision being made for the priests. He was not sure that he might not add to the list the name likewise of the noble Earl at the head of the Government. The common object was to produce contentment among the people of Ireland; that could be done, in a great degree, by endowing the Roman Catholic clergy, so that they and their people might feel that they were on an equality with their Protestant fellow-subjects in all respects. Equality was the natural right of all British subjects without reference to their religious opinions, and the Roman Catholics were justified in their demands. The statement that the Church of England was a missionary Church had an appearance of absurdity, because, if it were so, its clergy should be found not where Protestants, but where Roman Catholics lived. For these reasons he was of opinion that, unless the right rev. Prelate's Amendment were adopted, it would be better to resolve upon nothing on the present occasion.

THE EARL OF DERBY: My Lords, at an earlier period of the evening, I had intended to address your Lordships at some length upon this subject, but, under the present circumstances, I have not the slightest intention of trespassing upon you for more than a few minutes. The noble Duke opposite (the Duke of Argyll) seems to think that the reference to the old Appropriation Clause would sound in my ears like the sound of a trumpet. I can assure my noble Friend that it had quite a contrary effect. I had hoped we had heard the last of that; we fought that battle some five and thirty years ago, and I thought we had had enough of it; but now the noble Earl (Earl Russell) has renewed his youthful vigour and comes again to the combat. Now, although I have not changed my opinion with regard to the principle involved in this matter, yet I am satisfied to waive discussion, and to rest the proposal I am about to make on grounds which I hope will meet with your general acceptance if not with your general agreement. When the noble Earl first placed his Motion upon the table, it was simply to this effect. He proposed to move—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to give directions that, by the operation of a Royal Commission or otherwise, full and accurate information be procured as to the nature and amount of the property and revenues of the Established Church in Ireland, with a view to their more productive management."

The only objection I had to that original proposition is that I thought the Motion was not sufficiently extensive; a Commission of the description sought for should not confine itself to the consideration of the mere pecuniary question. Then the noble Earl, in placing the Motion on the table, informed us that although he intended to bring forward a tolerably extensive scheme of his own he did not desire the House to bind itself, and meant to frame his motion in such a manner as not to assert any particular principle. But I cannot help thinking that nothing could be more completely binding on the House than the words which the noble Earl has added to his original Motion, which I have quoted. It is true that the noble Earl's addenda would not commit us to any particular scheme, but they would commit us to the principle of alienation of Church property. When I first looked to the Amendment of the noble Marquess (the Marquess of Clanricarde), which I understand he does not intend to press, I interpreted it as asserting that the noble Earl proposed to alienate the Church revenues for any purpose, religious or temporal, and that the noble Marquess desired to confine the revenues to religious uses only. But the noble Earl has been kind enough to give up the notion of altogether uprooting the Established Church in Ireland, and is willing to content himself with simply taking from her another little slice of her property beyond that 25 per cent which he obtained from her some years ago, and he proposes to apply this money to the religious instruction of the Roman Catholics. If you add words to this effect to the Motion, you make it propose to divert the revenues of the Church for some other purpose than that they are now applied to; and whether that purpose be right or wrong, it is impossible to say, that the Motion would not pledge the House to some principle if carried. The object of the Commission, as stated by the noble Earl's Motion, is to secure the more equitable application of the funds of the Irish Church for the relief of the Irish people generally; and that negatives the proposal to dispense the funds of the Church for the religious teaching of any particular sect. The right rev. Prelate (the Bishop of Down and Connor) has introduced an Amendment which proposes to pledge the House in another way. There are a number of questions involved in this proposition which I do not wish to raise. I have my own strong opinion upon the subject, but do not intend to raise the question now; I simply ask the House to bind itself to no particular object, but to appoint a Commission with a view to get all the information it can, and to leave Parliament unfettered to deal with the question at some future time in the light of the information so gained. Surely, the noble Earl desires by his proposition to invert the natural order of things. He says, "We will issue a Commission, but will issue it with a view to divide the revenues of the Irish Church." The noble and learned Lord who followed him (Lord Cairns) laid down a proposition which I believe met with the concurrence of the whole House. Setting aside the abstract question as to the justness of the course pursued by the Church of England in Ireland in monopolizing the Church revenues, he laid down the principle, which can be hardly disputed, that when there is a corporate body in possession of revenues which can be beneficially and usefully applied to the purposes of that corporate body, it has the first claim to the use of these revenues. Then surely the noble Earl should ascertain, before he considers how he shall distribute the funds, whether there is a distributable surplus after providing for the needs of the Irish Church. But what does the noble

Earl propose to do; He says it is an injustice that one-sixth or one-eighth of the Irish people should receive the whole of the Church revenues, and he proposes to divide them — how I do not know, and I suppose he has not troubled himself much about details—he proposes to divide them into three portions, two-fifths to go to the Church of England, two-fifths to Roman Catholics, and the remaining fifth to the Presbyterians and all the other denominations in Ireland. I do not think that would be an arrangement satisfactory to any one. The Roman Catholics would get a portion of the spoil; but they would be left this grievance—they number six-sevenths of the population, and they would require to have that proportion of the Church property, while the noble Earl proposes to give them only two-fifths. If the Church revenues are to be laid out in proportion to the number of professors of the various religions, how can we hope that the Roman Catholics will be satisfied with two-fifths? This scheme would certainly lay the foundation for more quarrels in the future, more animosities, and more bickerings with regard to the shares each set of claimants is entitled to than any scheme that I have yet heard advanced. Is there any reason to suppose that this scheme would remove the grievances or satisfy the wishes of the Roman Catholics? I hold in my hand an article from *The Tablet*, the Roman Catholic organ, upon this very question, as late in date as the 11th of May last. The noble Earl hopes that his scheme for taking away that which the Protestants of Ireland regard as their legitimate property will produce general satisfaction, or, if it does not satisfy the Protestants, it will surely please the Roman Catholics. But this is what *The Tablet* says—

> "We are of those who think that the notion of settling the Irish Church question by simply confiscating the property of the Protestant Church and abolishing its privileges is a foolish notion, and that it ought to be opposed as being foolish, futile, and wrong."

This is a Roman Catholic announcement of the satisfaction with which they would regard the proposal of the noble Earl—

> "The arguments by which this proposal is generally supported appear to us either inconclusive or injurious—that is to say, inconclusive when harmless, and wrong when inconclusive."

I do not quite understand that, I must admit.

> "For example, when it is argued that the property of the Irish Protestant Church ought to be confiscated, because State endowments for religious purposes are objectionable in principle, because the voluntary system is the best, because the State has no right to compel any man to pay anything for the support of any particular religion, the conclusion follows from the premisses, but the premises are false, detestable, and condemned by the Church. So when it is argued that it is desirable that discontent, disaffection, and intestine strife should be replaced by content, loyalty, and concord between the profession of different creeds, and, therefore, that it is desirable to confiscate the property of the Protestant Church in Ireland and to abolish its privileges, the principle is good and harmless; but the conclusion is not warranted, for it rests on a suppressed premise, which is not admitted to be true—namely, that the confiscation of the property of the Protestant Church and the abolition of its privileges will cause discontent, disaffection, and intestine strife, to be replaced bv content, loyalty, and concord between the professors of different creeds."

Now, in point of fact, the Roman Catholic authorities contend that what you propose is unjust in principle, and, instead of giving universal satisfaction, is founded upon false premises, and would give no satisfaction whatever. I do not say we may by the investigations of the Commission be satisfied that these are erroneous views; but I entreat your Lordships, before receiving the Report of the Commissioners and hearing the facts of the case, not to pledge yourselves to a distribution which would offend the Protestants, and which, setting aside all questions of justice, equity, and rights of property, will certainly fail to satisfy the Roman Catholics. I only ask the House not to pledge themselves to a course which holds out a prospect of such little success. I do not ask you to affirm the principle that the property of the Church is inalienable. ["Hear, hear!"] Noble Lords opposite cheer. I certainly do entertain very strong opinions, though I do not ask the House to adopt them, upon the injustice of Parliament depriving the Irish Church of property which rests upon as strong security as any other system of property. It rests, at all events, upon a ground as strong as that by which the noble House of Russell holds Woburn Abbey and property in the neighbourhood of Covent Garden; and one can trace the possession of it as far back as any Protestant and Catholic landlords in Ireland can trace the possession of theirs. One noble Lord contended that we had sanctioned the principle of making provision for more than one religion in Ireland. We have done so; but, except in the case of Maynooth, it is not a fact that we have consented to the endowment of any other body. As the noble Lord is well aware the *Regium Donum* is voted by Parliament every year, and is not in the nature of an endowment. But admitting that it is of that nature, it is taken from the property of the State, and not from the property of the Church. A noble Lord has said that it has been found convenient in many other States to endow various religious denominations. That is quite another question. It may or may not be right; it may or may not be politic in a State to endow more than one religion; but I do not know what precedent can be discovered in the conduct of any European State to justify our depriving a Church of property of which she has had the exclusive possession for 300 years in order to endow a different denomination. I do not, therefore, think that any argument can fairly be drawn from the fact that certain States have endowed more than one religion. I did not, my Lords, intend to go into the question as fully as I have done. Let me only warn you. There are anomalies in the Church of Ireland that require correction. No doubt in many instances a better distribution of property can be made than that at present adopted; no doubt the Act which I introduced in 1834 may be further and beneficially extended; but I warn you how you apply the argument derived from the mere number of the population in any particular parish. Are you aware that in England there are nearly 700 parishes where the population, Churchmen, Dissenters, and all, does not average more than seventy-nine, and where the benefice on the average, is worth £150 a year, the amount being in several instances considerably larger, and with a very small population? Beware, therefore, how you deal with this question in the case of Ireland, because you may have it brought back in a very inconvenient form. I did not intend to trespass so long upon your Lordships' attention. I only wish that through the means of a Commission all the circumstances connected with the Irish Church, such as its revenues, their distribution, the duties of its Bishops and clergy, may be placed fairly and fully before the consideration of Parliament, and I am certain that though there may be found anomalies which may be deserving of removal, a fair, accurate, and impartial statement will go far to dispel many of those erroneous impressions towards the creation of which, as my noble Friend remarked, the noble Earl opposite has largely contributed. So far, therefore, I must adopt the omission of the words in the latter part of the Motion, as suggested by the right rev. Prelate. Still, however, though I agree in principle with the right rev. Prelate, I think it would be inconvenient, and it would certainly be inconsistent with the view to which I have given expression, that the House should be pledged to any view on this question. I therefore trust the right rev. Prelate will withdraw his Amendment, and that the words to which I have referred in the original Motion be struck out. The Motion will then stand simply for an Address to the Crown, praying for the appointment of a Commission for the purpose of inquiring into the revenues and property of the Irish Church.

EARL GREY: My Lords, it would be unpardonable in me, after having brought this subject before the House last Session, to trespass upon upon your Lordships for any length of time; but I am anxious that upon this great question, which must before long occupy the attention of Parliament, we should not go to a division which does not raise the right issue. I agree with the noble Earl who has just sat down that the Motion in the form in which it has been moved by my noble Friend (Earl Russell) does imply the expression of an opinion on this subject. While, however, I agree in that opinion I must say that the question appears to me to be far too grave and serious to be raised by mere implication at the end of a Motion for the appointment of a Commission; but, on the other hand, I think that the Motion having been made in this form it is equally undesirable that it should be passed after striking out these words—because, as the noble Earl opposite (the Earl of Derby) has said, the proposal of the right rev. Prelate (the Bishop of Down and Connor) would pledge the House as much on one side as the Motion of my noble Friend would on the other. A similar objection would apply to the mere omission of the words, because it would imply that we ought to make no change in the possession of the property and revenues of the Irish Church. If we go to a division, therefore, I must vote against the omission of those words. But I feel so strongly that this is a question which ought not to be disposed of in this manner that I hope my noble Friend will either withdraw his motion or allow it to be negatived without a division. I for one cannot be a party to referring a question of such great national importance to a Commission. It is a question which should be considered by the Government of the country, and if the Government intend, as I hope they do, to look into this great question, it is perfectly competent for them, without any Address from this House, to appoint a Commission to collect such information as may be necessary to enable them to form a sound judgment upon it. I listened with great pleasure to the speech of my noble Friend (Earl Russell). I was extremely glad to find that since last year he has come to a different conclusion as regards the policy which ought to regulate our treatment of this question. I am not surprised that that change should have taken place in the opinions of the noble Earl. A man must indeed be insensible to the most ordinary considerations of prudence who can look at the present state of Ireland and not feel that this great question is one which cannot be much longer delayed, but must be looked at in the face and dealt with boldly. But, notwithstanding the pleasure with which I listened to his speech, I must now request him not to prejudice this great question by calling upon the House to divide upon what may turn out to be a false issue. I, therefore, most strongly recommend that, on the one hand the right rev. Prelate should consent not to press his Amendment; and that, on the other, the noble Earl should withdraw his Motion, or consent that it shall be negatived without a division.

Earl RUSSELL, in reply, said—My Lords, I cannot consent to the withdrawal of my Motion, or to the omission of the words proposed to be left out by the noble Earl opposite. I think it is a very important matter that this House shall consider fairly and deliberately the present position of the Church in Ireland, as such consideration will render your Lordships more alive to the state of that Church, and better prepared to come, not, perhaps, this year, but next year, to a decision upon this important question. I am not content to withdraw the words which the noble Earl has proposed to omit, because they show distinctly the object of the Motion, while they are not in any way likely to influence the Commission in the inquiry it will have to undertake. At the same time I do not wish to divide the House, and will not do so unless the right rev. Prelate should think proper to press his Amendment. In referring to what took place in the House of Commons on this subject, I find that a Motion was set down on the Votes that on the 29th of May that House should resolve itself into a Committee to consider the temporalities and privileges of the Established Church in Ireland. That Motion was directly aimed at the temporalities of the Church of Ireland; and if the noble and learned Lord (Lord Cairns) who has addressed your Lordships this evening had still been a Member of that House, he could not have done otherwise than give a negative to that Motion. Every person will be of opinion that it was not desirable that on the 29th of May the House of Commons, occupied as it was with the Reform Bill, should have resolved itself into Committee to consider this subject; and your Lordships will not not be surprised to hear that the House of Commons, by carrying the Previous Question, determined to defer the consideration of the matter until next year, when your Lordships will probably be called upon to determine what shall be done with regard to the Irish Church. It would, therefore, be most undesirable for this House to express any definite opinion at this time upon this subject, seeing that it may be called upon in March next to give its sanction to a plan very different from that it might now approve. During the last few years we have all heard a good deal about a lateral extension of the franchise —a plan which has, however, been totally abandoned this year—and I think there might well be a lateral extension of the endowments of the Church to the Presbyterian Church of Ireland—an extension that would give great satisfaction to a large majority of the people of that country. If the noble Earl opposite is really desirous that the House should come to a conclusion that the Church of Ireland shall be perpetually maintained, that conclusion will be best shown by your Lordships agreeing to the Amendment of the right rev. Prelate. If that Amendment is carried it will definitely show that in the opinion of the House of Lords the Church of Ireland shall continue to exist, such Amendments only being made in its constitution as are consistent with its maintenance. In that event, however, I think it will be desirable to know the names of those noble Lords who are determined, whatever may happen between the present time and next year, to maintain the Church of Ireland as it at present exists. I have no wish whatever to divide the House if the noble Earl opposite will consent to the appointment of a Commission.

Earl GREY inquired whether the noble Earl did not intend to press his Motion at all.

The Earl of DERBY: The first question is as to the omission of the words in the noble Earl's Motion, and upon that point I feel myself bound to insist, in the first place. I cannot propose to negative the whole of that Motion, because in so doing I should be negativing that which I think very desirable. I have, however, not the slightest objection to the noble Earl withdrawing the Motion altogether; but should he agree to omit the words to which I object, I shall be happy to consent to his Motion.

Earl GREY said, he would be quite content that no vote whatever should be come to upon the question. He should move the previous Question.

The Earl of WINCHELSEA said, that he was opposed to the taking away the property of the Irish Church, which was a work of spoliation that could not stop there. It would be much better, and much more dignified on the part of a great country, if they were to put their hands into their pockets and make the necessary provision for the Roman Catholic Church out of the national funds, in the shape of a vote of money for the purchase of land in Ireland as an endowment for the Roman Catholic Church. This would be a more intelligible and a more creditable course, instead of making that Church a present that cost nothing. He knew that his proposition would be unpopular, but he felt that it was his duty to make it. He agreed in thinking that a division now would be undesirable. In reference to what had been said by the noble Earl of what might happen next year, he thought it was impossible to say anything on this point; but he believed that many time-honoured institutions—quite as time-honoured as the Protestant Establishment in Ireland—would perhaps by that time be in considerable danger.

The LORD CHANCELLOR: The noble Earl (Earl Grey) is out of order in moving the previous Question. The original Question is—

> "That an humble address be presented to Her Majesty, praying that Her Majesty will be pleased to give directions that by the operation of a Royal Commission, or otherwise, full and accurate information be procured as to the nature and amount of the property and revenues of the Established Church in Ireland, with a view to their more productive management, and to their more equitable application for the benefit of the Irish people."

It is now proposed to leave out all the words after the word "management," and to insert the words—

> "and also to the means by which they may be best made to promote the efficiency of the Established Church in Ireland."

The Question is, "That the words proposed to be left out stand part of the Question."

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Ponsonby, L. (*E. Bessborough.*)
Romilly, L.
Seaton, L.
Somerhill, L. (*M. Clanricarde.*)
Stafford, L.
Stanley of Alderley, L.
Stratheden, L.
Sundridge, L. (*D. Argyll.*)

NOT-CONTENTS.

Chelmsford, L. (*L. Chancellor.*)
Dublin, Archp.

Beaufort, D.
Buckingham and Chandos, D.
Manchester, D.
Marlborough, D.
Richmond, D.

Ailsa, M.
Exeter, M.
Winchester, M.

Amherst, E.
Bandon, E.
Bantry, E.
Bathurst, E.
Beauchamp, E.
Belmore, E.
Cadogan, E.
Derby, E.
Devon, E.
Haddington, E.
Hillsborough, E. (*M. Downshire.*)
Lauderdale, E.
Leven and Melville, E.
Malmesbury, E.
Mansfield, E.
Nelson, E.
Powis, E.
Romney, E.
Rosse, E.
Shaftesbury, E.
Shrewsbury, E.
Stradbroke, E.
Verulam, E.
Wilton, E.
Winchilsea and Nottingham, E.

Clancarty, V. (*E. Clancarty.*)
De Vesci, V.

Doneraile, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Templetown, V.

Bangor, Bp.
Cork, &c., Bp.
Down, &c., Bp.
Gloucester and Bristol, Bp.
Lincoln, Bp.
Llandaff, Bp.
Ossory, &c., Bp.

Bagot, L.
Berners, L.
Brancepeth, L. (*V. Boyne.*)
Brodrick, L. (*V. Midleton.*)
Cairns, L.
Castlemaine, L.
Churston, L.
Clifton, L. (*E. Darnley.*)
Clonbrock, L.
Colonsay, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
Denman, L.
De Ros, L.
De Saumarez, L.
Digby, L.
Dunsany, L.
Feversham, L.
Gage, L. (*V. Gage.*)
Grinstead, L. (*E. Enniskillen.*)
Hartismere, L. (*L. Henniker.*)
Hylton, L.
Inchiquin, L.
Lovel and Holland, L. (*E. Egmont.*)
Northwick, L.
Penrhyn, L.
Raglan, L.
Rayleigh, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Sherborne, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L.
Sondes, L.
Southampton, L.
Stewart of Garlies, L. (*E. Galloway.*)
Talbot de Malahide, L.
Templemore, L.
Thurlow, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Wentworth, L.

Then the said Amendment, so far as regards the Insertion of the said Words "and also as to the Means by which they may be made best to promote the Efficiency of the Established Church in Ireland" (by Leave of the House) *withdrawn;* and the original Motion, as amended by the omission of the said Words "and to their more equitable Application for the Benefit of the Irish People," *agreed to:* The said Address to be presented to Her Majesty by the Lords with White Staves.

House adjourned at Eleven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, June 24, 1867.

MINUTES.]—Supply—*considered in Committee —Resolutions* [June 21] *reported.*

Public Bills—*Second Reading*—Vice Admiralty Courts Act Amendment * [22].

Committee—Representation of the People [79] [r.p.]; Blackwater Bridge * [156]; Statute Law Revision * [194]; Linen and other Manufactures (Ireland) * [183]; Real Estate Charges Act Amendment* [181].

Report—Blackwater Bridge * [156]; Statute Law Revision * [194]; Linen and other Manufactures (Ireland) * [183]; Real Estate Charges Act Amendment * [181].

Considered as amended—Vaccination * [175]; Charitable Donations and Bequests (Ireland) * [49].

Third Reading—Galway Harbour (Composition of Debt) * [200]; British White Herring Fishery * [173]; Land Tax Commissioners' Names * [31]; Lis Pendens * [153], and *passed.*

PARLIAMENTARY DEPOSITS.

MOTION FOR A SELECT COMMITTEE.

Lords' Message [21st June] (*by Order*) *considered.*

Mr. DODSON moved that a Select Committee be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in the Lords' Message, to consider the Act 9 & 10 *Vict.* c. 20, and the Standing Orders of both Houses in relation to Parliamentary Deposits, and the completion of Railways within a prescribed time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session. He would express a hope that those who took an interest in the Private Business of the House would still have the advantage of the Chairman of Committees (Colonel Wilson Patten) sound judgment and long experience.

Colonel FRENCH said, he wished to know whether the decision of the joint Committee was to be final.

Mr. DODSON said, it was only a Committee appointed to consider and report, so that it would be for each House to decide afterwards what should be done.

Motion *agreed to.*

Ordered, That a Select Committee of Five Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of the 21st day of June, to consider the Act 9 and 10 Vic. c. 20, and the Standing Orders of both Houses in relation to Parliamentary Deposits, and the completion of Railways within a prescribed time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session.—(*Mr. Dodson.*)

And, on June 26, Select Committee *nominated* as follows.—Mr. Dodson, Lord Hotham, Mr. Milner Gibson, Mr. Bouverie, and Mr. Howes: Power to send for persons, papers, and records; Three to be the quorum.

METROPOLITAN POOR RELIEF ACT—NOMINEES.—QUESTION.

VISCOUNT ENFIELD said, he wished to ask the Secretary to the Poor Law Board, Whether any nominees have been appointed under the Provisions of the Metropolitan Poor Relief Act, passed during the present Session, to act as joint guardians of the poor throughout the Metropolitan Parishes and Unions; and, if such nominations have not taken place, whether it be in consequence of one of the provisions of the above-mentioned Act, which stipulated that the nominees and *ex officio* guardians together shall never exceed one-third of the whole Board, the resident Justices of the Peace in several Unions already constituting that number.

MR. SCLATER BOOTH said, in reply, that no nominees had been appointed under the provisions of the Act to serve as joint guardians of the poor throughout the Metropolitan Parishes or Unions. But it could hardly be said that the reason was exclusively in consequence of the provision referred to, because in the only two instances in which the Act had been put in force it would have been competent for the Poor Law Board to appoint such a number of nominees as, taken together with *ex officio* guardians, would not exceed the just proportion. As far as he could foresee at present no inconvenience was likely to arise from the Act. Under the same Act a District Asylum Board had been already formed, of the governing body of which one-third were nominees under the provisions of the Act.

CASE OF GEORGE EDWARD GURNEY. QUESTION.

MR. MORRISON said, he wished to ask the Secretary to the Treasury, If George Edward Gurney, who was convicted at the Central Criminal Court, on June 11th, of attempting to obtain a licence to sell spirits by offering a bribe to the Chairman of the Kensington Division of Magistrates, is in receipt of any pension from the Government; and, whether it is the intention of the Commissioners of Excise to continue his present licence to sell beer by retail?

MR. HUNT said, in reply, that the man Gurney, who had been a police officer, was pensioned in 1848, but his pension was liable to be forfeited on his conviction for any indictable offence. The attention of the Home Secretary should be called to the circumstances of the case, and he would exercise his discretion with regard to it. With regard to the other part of the question he had to say that it was not in the power of the Commissioners of Excise under the present state of the law, to decline to renew his beer licence in case Gurney obtained the statutory certificate from the overseers.

STORM WARNINGS.—QUESTION.

COLONEL SYKES said, he wished to ask the Vice President of the Board of Trade, Whether the Meteorological Committee of the Royal Society find it practicable to renew the "Storm Warnings," as heretofore practised by the Meteorological Department of the Board of Trade?

MR. STEPHEN CAVE: Sir, the Meteorological Committee feel obliged to decline at present to transmit what have been called "Storm Warnings." They are, however, collecting information which they anticipate will sooner or later enable them to frame rules by which such prognostications may be made. They are prepared at once to forward each day, by post, free of expense, to any locality that may be desirous of receiving it, a copy of the daily weather report collected from their various stations and from the Continent. Telegraphic intelligence will be forwarded to any locality which may be willing to bear half the expense. The information conveyed by telegraph would be of the following kind, one uniform signal being hoisted on the coast:—"Storm from west at Penzance and South Coast; hoist signal." I purpose moving to-day for a letter from the Committee, which will give more complete information on the subject of the hon. and gallant Member's question.

REFORMATORY AND INDUSTRIAL SCHOOLS—QUESTION.

MR. CANDLISH said, he would beg to ask the Secretary of State for the Home Department, If he can inform the House whether or not any grants of money have been made by any prison authority in England, or by any county board in Scotland, to the Managers of any Reformatory or Industrial School, for the purpose of building, altering, enlarging, or rebuilding any such school?

MR. GATHORNE HARDY said, that under the Act of last Session it was not necessary that any representation should be made to the Home Office of any sums granted to the Managers of Reformatories or Industrial Schools. All that was necessary was that any plans for improvements should be submitted to the Secretary of State.

COCHIN CHINA.—QUESTION.

Mr. VANDERBYL said, he would beg to ask the Secretary of State for Foreign Affairs, If any steps have been taken with a view of establishing a British Consulate at Saigon, Cochin China, at present under the Government of France?

Lord STANLEY said, in reply, that no steps to establish a Consulate at Saigon had been taken, nor had he received any representation which would lead him to believe that an appointment of that kind was desirable. If such a representation were made he would give it his best consideration.

CASE OF WILLIAM WATSON.

QUESTION.

Mr. GILPIN said, he wished to ask Mr. Attorney General, If his attention has been called to a case recently reported in the public papers of the violent removal of a debtor, William Watson, aged seventy-two years, from his residence for debt, when in the last stage of consumption, and when the certificate of a physician was shown to the Sheriff's officer stating that Watson could only be removed at the risk of his life; to the fact that the said Watson was forcibly taken to Horsemonger Lane Gaol, and died almost immediately after his admission; and to ask if the Law of England authorizes a Sheriff's officer thus to remove a dying man in the face of such a protest on the part of a duly qualified physician?

The ATTORNEY GENERAL said, in reply, that the law of England did not, in his opinion, justify the sheriff's officer in removing the debtor under the circumstances stated in the Question. The sheriff, no doubt, was placed in a situation of great difficulty, for if the debtor recovered and made his escape, the sheriff would be liable to an action at law. He (the Attorney General) might be permitted to add that, if the Bill on the subject of bankruptcy were permitted to pass, a question of that nature could no longer arise.

TRAFFIC REGULATIONS—WAGGONS AND DRAYS.—QUESTION.

Mr. READ said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to some recent convictions of carters for driving farm waggons "with reins attached to all the horses;" and why drays and vans with three or more horses can with impunity be driven through the most crowded streets of the metropolis, while the driver of a common waggon cannot ride upon such carriage upon any turnpike in the rural districts without rendering himself liable to a heavy fine?

Mr. GATHORNE HARDY, in reply, said, no application had been made to the Home Office on the subject, and he consequently had had no information upon it beyond that communicated to him by the hon. Member. The Act under which persons were fined in the country did not apply to the metropolis. It was required that in addition to the driver there should be some one to guide the horses, and this had probably been neglected in the cases in which convictions had taken place.

BIRMINGHAM RIOTS—VOLUNTEERS.

QUESTION.

Mr. HORSMAN said, he wished to know, Whether the right hon. Baronet the Secretary of State for War is prepared to offer any explanation of the conduct of the Volunteers at Birmingham during the late riots in addition to the statement which the right hon. Gentleman made a few evenings ago?

Sir JOHN PAKINGTON said, he was glad to have an opportunity of offering an explanation upon that subject, and of doing justice to the conduct of Major Ratcliff, who had acted as the representative of the Volunteers upon that occasion. The paragraph which had appeared in *The Times* newspaper, and which formed the foundation of the Question which had been addressed to him by the right hon. Gentleman the Member for Stroud, the other evening, was, he was happy to learn, altogether erroneous. Major Ratcliff had called upon him at the War Office, and informed him that there was at Birmingham a large room called Bingley Hall, which was used as a store for the arms of the large Volunteer force in that town; and that officer, having received a communication from the magistrates, warning him that if any disturbance were to take place it would be well to adopt precautions for the safety of those arms, collected about 100 of the Volunteers at the hall, where they appeared without uniform, and where they strictly confined themselves to the duty of watching over their arms. Major Ratcliff, in a subsequent communication, had given the following facts:—

> "I remained in the Hall day and night until I was satisfied immediate danger had ceased. The Birmingham battalion is one of the largest in the Kingdom, and I had under my charge and in the Hall upwards of 1,200 rifles, which I was bound to protect, and for that purpose alone were we on duty. Allow me also to state that on two occasions on Tuesday a Roman Catholic Priest was at Bingley Hall to implore assistance, as he had been informed that his chapel, which was in the immediate neighbourhood, would be attacked, and it was about eleven o'clock on Tuesday night I last saw him. I then distinctly informed him we were only in the building guarding our rifles, and we could not leave the Hall. He then said, 'Surely, if my chapel were attacked you would render assistance?' I again repeated it was impossible in the capacity of Volunteers, as on no consideration could we interfere without proper authority."

The House would be satisfied, he thought, that Major Ratcliff had only performed his duty.

ARMY—LIEUTENANT-COLONELS OF CAVALRY.—QUESTION.

Captain VIVIAN said, he understood that the second Lieutenant-Colonels of Cavalry Regiments returning from India were about to be placed in a position of great hardship, inasmuch as it would be made compulsory upon them to retire upon half-pay, without any prospect of future service. He therefore would beg to ask the Secretary of State for War, Whether he will be prepared to adopt any measure for the removal of that hardship?

Sir JOHN PAKINGTON, in reply, said, he was not prepared to deny that the case of those officers was one of some hardship. There were only a few of them—not more, he believed, than three or four—and he could not say that he had in contemplation any measure for their immediate relief.

CANDIA—THE INSURRECTION.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether, in his recent communications to the House on the subject of Candia, he is to be understood as describing the conduct of both parties in the struggle as nearly on an equality in point of cruelty and outrage, and whether the horrors inflicted on women and children by the Turks does not far exceed anything of the kind that could be imputed to the Candiotes?

Lord STANLEY replied that he had merely stated that he had reason to fear that many acts of inhumanity had been perpetrated on both sides. The information he had received fully warranted him in making that statement; but he had not attempted to strike a just balance between the two parties, nor was his information sufficiently precise to enable him to do so, did he desire it.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

Committee. [Progress June 21.]

Bill *considered* in Committee.

(In the Committee.)

Clause 40 (General Saving Clause).

The CHANCELLOR of the EXCHEQUER: I am aware that I am taking a somewhat irregular course, but I think it is convenient occasionally, in the course of the progress of a Bill of this kind, and when there arises a point of general interest, an explanation upon which would probably facilitate the course of the measure, to make a communication to the Committee. With their permission, therefore, I wish to state the course which Her Majesty's Government think it expedient for the public interest we should take with respect to the appointment of the Boundary Commissioners. In the year 1831, when the question first engaged the attention of Parliament, Lord Althorp, who was at the time conducting the Bill, proposed that the names of the Boundary Commissioners should be included in its provisions, and he even gave the names. But there was considerable demur and criticism to the proposal in consequence of the names he mentioned. The Bill, in consequence, did not make progress; but affairs were urgent, the business was not only extensive but novel, and Lord Althorp addressed instructions to the persons whose names were included in the Bill, anticipating that the House would sanction their appointment, and at any rate that time would be gained, and that they would be able to prepare themselves for the work they would have to perform. It so happened, however, I believe, that the House of Commons never sanctioned the names; but whether they did so or not, the Bill was thrown out in the House of Lords. The consequence was that the three persons mentioned in the Bill acted upon instructions given by Lord Althorp and Lord Melbourne in the anticipation that they would be the Commissioners appointed by the Statute. That was the origin of the misconception upon my part to which the right hon. Gentleman (Sir George Grey) called—and very properly called—my attention. But there is no doubt that if the Commissioners are appointed by the Statute it is for the Minister to give them their instructions. I will now proceed to explain the cause of the course which was taken by Lord Althorp upon that occasion. The Commissioners went on with their labours, and in the course of three or four months had made very considerable progress, and they had in fact, almost concluded their labours before the Act of 1832 was passed. The result was that the counties were divided, and the boundaries of the new boroughs settled by the Commissioners, who were not Statutory or even Royal Commissioners, but who acted under the instructions of the Treasury and the Secretary of State, who was then Lord Melbourne, and I have heard that Lord Althorp always deeply regretted these circumstances. There is no doubt that although much may be ascribed to party passions, which were then no doubt much more inflamed in this country than they are in the very different and happier circumstances in which we are now placed, still there was a deep impression on the public mind that these boundaries had not been regulated with impartiality, and that, in many instances, many gross cases of what are called jobs were accomplished. My own impression is not very strong in that direction, because the experience of a long political life has taught me that nothing is more exaggerated than those mutual imputations which we make against each other to the effect that we take advantage of whatever circumstances may be under our control in our party arrangements. It is, however, highly probable that at a time of strong party passion, and with great powers in the hands of the Commissioners, some regulations were brought about which were not altogether satisfactory. But whether this was so or not, such an impression was deep and durable, and a quarter of a century afterwards, when we had to consider this question of Parliamentary Reform, and when in 1859, in deference to public opinion and the House of Commons, we proposed a very moderate measure of disfranchisement and enfranchisement, we were convinced that it was most desirable that some course should be taken that would obviate the recurrence of such a state of public feeling, and would prevent such imputations being made against the conduct of our public men. At that time, therefore, we proposed that assistant or sub-Commissioners, whichever they may be called, should be appointed by the Enclosure Commissioners, who had been very actively employed on business of great public interest, and whose character and conduct the country was well acquainted with. That was thought to be by no means an infelicitous suggestion, and the late Mr. Ellice spoke very warmly in its favour, on the ground that it would relieve Parliament and the Government from those unfounded aspersions which prevailed in 1832, and with the history of which Mr. Ellice was very familiar. On the present occasion we had to consider the same Question, and though a longer lapse of time than a quarter of a century has occurred, it cannot be denied that the impression still prevails in the public mind. The moment new boundaries were mentioned and Commissioners were talked of, there were these traditions of unjust behaviour on the part of official men and persons in authority and public employment which was certainly a state of matters much to be deprecated. Now, upon the present occasion the duties which will fall upon the Boundary Commissioners, will be much more important than in 1859, or than were contemplated in the interval between 1859 and the present time. In the year 1859 I think there were not more than fifteen boroughs to be disfranchised, and there were only a few divisions of counties to take place; but under the Bill now before the Committee the disfranchisement is double in amount, and there will be a much greater increase of duty in dividing counties. In addition to that the Boundary Commissioners will be called upon to consider another portion of the subject which did not exist in 1831-32, or 1859, namely, the revision of the boundaries of the present Parliamentary Boroughs, as to which, however, some may have differed, the vast majority of the House have resolved that some new arrangement shall take place.

It became then very important that these Boundary Commissioners should be men not only possessing the confidence of the country, but that they should be appointed in a manner which would prevent the least doubt being cast upon the impartiality of their conduct. The House is aware that we proposed that the names of the Boundary Commissioners should be inserted in the Bill. It was quite open to us to have appointed a Royal or a Ministerial Commission, with written instructions as to the particular duties they were expected to fulfil and the course they should generally pursue. But Her Majesty's Government were strongly and unanimously of opinion that it was most important in the present instance that they should be Statutory Commissioners, and, under these circumstances, after taking a great deal of trouble with the matter, I presented to the House the names of certain gentlemen for its consideration. I am bound to say that in every instance we were at first met by these Gentlemen with a refusal or something equivalent. The duties, as hon. Gentlemen are aware, will be most laborious and responsible, and they are gratuitously given to the country, and nothing but that high sense of public duty which influences English gentlemen and is characteristic of their conduct and their lives, and which as long as it exists will be the best security for the good government of this country, would have prevailed upon these gentlemen to accede to our request. They all without exception mentioned that, if the slightest question were raised as to the propriety of bringing forward their names, they must be permitted to retire from a position which they had only consented to hold in order to fulfil their duty to the country. Everybody must feel the very great pain which a person in my place must experience who is called upon under these circumstances to withdraw the names of gentlemen who had voluntarily offered to serve the public, and I am convinced that must be the general feeling of the Committee. I observe that the hon. Member for Birmingham, who principally questioned the propriety of the recommendations I offered to the House with a feeling which did him honour, proposed that we should add to the number of the Commissioners instead of withdrawing any of the names. If we added to the Commission we should make the number eight or nine. But even seven exceeded the number we originally intended; I think five are perfectly sufficient, and I am persuaded that number would best meet the wishes and interests of the House and the country. We had, however, no difficulty in this matter because, our friends, with almost extraordinary unanimity, though they were in different and remote places of the country, withdrew their names and left us to take that course which should be of most advantage to the country and greatest service to the Government. I wish to impress upon the Committee the great importance of the course which we recommend. It is one which I hope will show the confidence of the Government in the House of Commons, and I hope it will meet with a reciprocal return from the House in the shape of confidence in our conduct on this occasion. There is no difficulty whatever in selecting a body of gentlemen who could fulfil these duties in the most satisfactory manner. I venture to say that, from the Benches opposite, I could select half a dozen gentlemen or more in whose judgment and integrity I would place as much confidence as in that of any of the Gentlemen with whom I am more particularly connected in public life, and I have no doubt they would perform these duties in a most complete and satisfactory manner There is also, doubtless, a reciprocal feeling on the other side of the House. But unfortunately these things cannot be arranged by relying upon the intimate knowledge of each other which subsists in this House, and acting accordingly; they must be arranged with reference to the world out of doors—with reference to the people of the country generally, who are not personally and intimately acquainted with the characters of Members of this House, and who insist that they shall be settled in some degree according to the traditions of Party and other circumstances which ought to have influence in such matters. In deference to this opinion of the public, which is not without good foundation, we have endeavoured as far as possible to select men from both sides of the House who are not only capable of performing the duties that will be required of them, but whose careers show that they are men of moderate principles and temperate views. We were most anxious that we should not be placed in the unfortunate position in which Lord Althorp, through no fault of his own, found himself; but that we should appoint the Commission by Statute. We therefore wished that there should be a thorough understanding between the House and the Government on this subject, and we hope to come to an arrangement which should expedite and facilitate the progress of this Bill, and at the same time give full satisfaction to the public mind. Under these circumstances we have thought it wise to reduce the number of the Commission to five, which was the number we originally contemplated, and which we think is sufficient adequately to discharge the duties that will be required. We thought it necessary, however, to ask Lord Eversley to re-consider his decision of withdrawing from the Commission. After the remarks made in the House the other evening Lord Eversley felt unwilling to undertake the task we proposed to him, shrinking naturally from the fear that his name in this House, where he presided so long and with so much ability and impartiality, should become the subject of anything like party contest. I ventured, however, to assure him that he quite misunderstood what had occured here. Nothing took place but free and fair criticism of opinions, which was offered with the best intention, and which was perfectly consistent with the desire on the part of the House to arrive at a just conclusion, without being influenced by party feeling. I am glad to say my arguments prevailed, and that Lord Eversley has consented to preside over the Commission. This point settled, we next came to the conclusion that there should be two Members of this House upon the Commission, because, without anticipating that the decisions of the Commissioners will be liable to be impugned, there will still be many details which will naturally require illustration and explanation, and many points for decision on which it would not be satisfactory that the Commissioners should be represented at second-hand. Therefore, we propose that there should be two Members of this House on the Commission—namely, my right hon. Friend the Recorder of London, and when the proper time comes I shall ask leave to insert the name of Sir Francis Crossley. We would add to these the names of Sir John Duckworth and Mr. Walter. That apparently gives, as has been mentioned to me, a majority of three Liberals to two Conservatives; but I have not proposed on the part of Her Majesty's Government, to constitute the Commission on any principle of that kind. These gentlemen will, I believe, form a Commission that will both perform its duties with ability and inspire the most perfect confidence in the country. I now come to the question which was asked by the noble Lord opposite regarding the appointment of Assistant Commissioners. Of course, if there is a Statutory Commission, the Assistant Commissioners must be appointed by the Parliamentary Commission. Indeed, a communication to that effect was made a considerable time ago to Lord Eversley; but I found a general reluctance to undertake the responsibility of such appointments, which shows that patronage in this case is not considered by them so desirable an object as many persons think. But in the opinion of the Government it would be a clear consequence of having a Statutory Commission that the Commission should make those appointments; and it is only by an arrangement of that kind that complete public confidence which we wish to secure can be obtained. Lord Althorp's opinion was that, if Statutory Commissioners were appointed, the instructions in the Act should be of a very large and general character, and I entirely concur with him in that I think the language in the clause which we shall have to consider is perfectly adequate to the occasion, and that if Parliament appoints these five Commissioners they will have to consider the whole subject generally—they will have to consider what are the duties which have to be fulfilled, what is the information that is required; and it will be for them to draw up general instructions to the Assistant Commissioners. Then, again, in every Commission, Royal, Parliamentary, or Ministerial, where there is necessarily an expenditure of the public money, there must be some means whereby the Treasury shall have its due control over its conduct, and our opinion is that that end will best be gained by the Secretary of the Commission being selected by the Government from among the officers of the permanent civil service connected with the Treasury. These are the arrangements we propose to the House, and we hope they will be accepted. For ourselves we are clearly of opinion that they will conduce greatly to the public advantage and the general satisfaction of the country.

Mr. Bright rose to address the Committee, but

The CHAIRMAN said, the clause before the Committee was Clause 40, and that in order to make his statement with reference to the postponed Clause (31) the right hon. Gentleman the Chancellor of the Exchequer who had charge of the Bill had appealed to the indulgence of the Committee If there was a general intention to discuss Clause 31, the only regular manner of doing so was by postponing the clause now before them.

MR. DARBY GRIFFITH said, he wished to ask why, if Mr. Dodson's statement was correct, the Amendments on Clause 31 stood first on the Paper, and before those on Clause 40.

THE CHAIRMAN: Clause 31 is before Clause 40 simply because in arithmetical order, the number 31 is before the number 40.

MR. BRIGHT: I did not intend to say anything to prolong the discussion, but simply, if the House will permit me, to express my satisfaction at the alteration made by the Government since Friday last with respect to the names and also the number of the Commissioners. I think that the amended Commission will be much better, and I am convinced that, as it stood before, it would not have given that satisfaction which it is the more necessary to give, seeing so much doubt existed in regard to the Commission of 1832. As to the Secretary I think it is contrary to custom that he should be appointed by the Government, and I would suggest that this is one of the matters that should be left in the hands of the Commissioners. This, however, is a point which may be discussed when we come to the clause, and therefore I do not wish to offer any obstacle to the course proposed.

SIR ROUNDELL PALMER said, he wished to move, that after the word "franchise" in the clause, there should be added the words "that no person shall be entitled to vote for the same place in respect to more than one qualification." He thought that the insertion of these words would make the intention of the Legislature quite clear.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that the object of the hon. and learned Gentleman would be more completely accomplished by words at the end of the clause.

MR. ROEBUCK said, the clause guarded against the evils pointed out, and the Amendment would be mere surplusage.

SIR ROUNDELL PALMER said, he thought not, or he would not have proposed it.

THE ATTORNEY GENERAL said, he thought the Amendment quite unnecessary.

VISCOUNT CRANBORNE said, that freemen might be occupiers, and entitled under this Bill to a vote, and this Amendment would prevent there having two votes; therefore he thought the Amendment was necessary.

Amendment *agreed to.*

MR. HARDCASTLE said, that in moving the present Amendment his object would be explained by another Amendment of which he had given notice, and which, while not interfering with the franchises of the present freemen, provided that no person hereafter admitted as burgess or freeman should be thereby entitled to vote in any election for any county, city, or borough. He had no intention of troubling the House with any long statement of facts on the subject; and would only say that he did not wish to interfere with the present race of freemen, but to take care that when they died out they should have no successors, his belief being that there was not in theory a more corruptible, and in practice a more corrupt body of voters. Since the last Reform Bill there were only three cases which Parliament had dealt with judicially—namely, those of Sudbury, St. Albans, and Great Yarmouth, and in all three cases the freemen were almost entirely to blame. Great Yarmouth was remarkable for this reason—in 1848 the freemen were disfranchised, leaving only the £10 householders. However, so deep was the taint of corruption left by the freemen that during the present Session it had been found necessary to disfranchise the entire borough. The question had never, he believed, being discussed since 1832, and the reasons that were urged for the retention of the freemen in 1832 were either valueless then, or became valueless since that date. It was said in 1832 that if the freemen were disfranchised, some constituencies would become too small for practical purposes, but that reason would be valueless now when every ratepaying householder was to sbtain the franchise. Another reason was that a new class of voters, the ten pounders, being then admitted to the franchise, the existence of the freemen was necessary to neutralize the influence of the great house proprietors. It was thought that the fine old British freeman was the man to beput in the gap, to neutralize the influence of the great house proprietors. As a matter of fact, however, the freemen had never exerted themselves in that direction. They remained, as they always had been, the most dependent class of voters and the most accessible to corrupt influence. One argument, known as "the small end of the wedge" argument, was used by Sir Charles Wetherall, who said that the freemen were an hereditary body, and that if you touched their privileges, you would thereby insert the small end of the wedge, which was in the end to destroy your hereditary aristocracy, and perhaps your monarchy. [*Laughter.*] They were not afraid now to laugh at that argument, but all the other arguments were equally valueless. In discussing the present Bill the House had strenuously repudiated all personal claims—he only wished he could imitate the manner in which they had been disposed of by the hon. and learned Member for Richmond; and it should be remembered that they had refused the franchise to the clergy as clergy, to the learned professions, and to the provident who had deposits in the savings banks. He trusted that after excluding such classes as these, they would not perpetuate the claims of a body of men who had only to say for themselves that they claimed to vote because their fathers or their wives' fathers voted before them. The freeman franchise was formerly an educational franchise as being acquired by apprenticeship to a trade, and as handicraft trades were often hereditary, the franchise by degrees became hereditary also. But granting that there might be strong reasons for this class retaining the the franchise, there were still stronger reasons for their not retaining it. Under the present Bill, if his Amendment were agreed to, every freeman who should have the right to vote would have the right to vote as a householder or lodger, and he could not therefore see any necessity for retaining the freemen franchise as a distinct part of the electoral body. He begged therefore to move the omission of the words "laws, customs, and," with the intention of subsequently proposing the addition of a provision that no person hereafter elected a freeman should be entitled to vote at elections.

Amendment proposed, line 17, leave out "laws, customs, and."—*Mr. Hardcastle.*

Mr. LEEMAN said, he had not been fortunate enough to hear many of the observations of the hon. Member who last spoke, and he therefore felt some difficulty in replying to him. He had understood that the bill was to be one of enfranchisement, not of disfranchisement, and he was therefore, surprised, that the proposed Amendment should have emanated from the Opposition side of the House. The House had already admitted to the franchise the whole body of householders. There was not an occupier of the most miserable hovel, if he was only enabled to get on the rates, whom the present Bill would not enfranchise; and it also enfranchised men who had no kind of interest in the particular towns in which they lived further than that which resulted from a twelvemonths' residence — namely, the lodgers. The Parliament in 1832 came to the conclusion that to all future freemen by birth or servitude the franchise should be continued. Such men had associations and interests connected with the several places in which they were born and had grown up, and if they left those places for more than two years, they ceased to have the franchise in respect to them. He asked were they to give the franchise to persons inhabiting the humblest hovels, and to deny it to freemen by birth or servitude? The number of voters now on the registers as freemen was very large — in Bristol, 1,707; Coventry, 3,911; Chester, 1,102; Dover, 839; Hull, 1,358; Leicester, 1,839; London, 5,511; Newcastle, 1,842; Norwich, 1,971; York, 2,507; Nottingham, 1,565; Liverpool, 1,285; Carlisle, 783; Oxford, 950; Newcastle-under-Lyne, 718; and several others, making, in all, upwards of 40,000 voters. Though there had been occasions on which it had been attempted to withdraw the franchise from the freemen, the House had always taken into consideration the fact that there were properties connected with the various towns in which these persons had a great interest, and those attempts had failed. At all events, the freeman was as good a man as a great many of those who would be introduced to the franchise by virtue of the household and lodger franchises of the present Bill. When the Reform Bill of 1852 was introduced, no attempt whatever was made to disfranchise the freemen, and he believed that that was simply in consequence of the discussions upon the subject which took place in 1832. The Bill introduced by the Government of Lord Aberdeen in 1854 did contain such a proposal, but it was repudiated in most indignant terms by a Member of that House, the late Mr. Edward Ellice, who for thirty-five years represented Coventry, and the clause was obliged to be given up. The right hon. Gentleman (Mr. Gladstone) would remember that they were obliged to give up the clauses for disfranchising freemen; and in neither the Bills of 1859 nor 1860 was this attempt renewed. The right hon. Gentleman smiled, but if he was going to support the Motion perhaps he would explain why he did not seek to disfranchise the freemen in the Bill of last year. It had been said that the freemen were both peculiarly corruptible and corrupt. Upon both of these charges he took issue with the hon. Member, and if he had made himself acquainted with the election petitions since 1832, he would have found that the contrary was the fact. In the case of the four boroughs proposed to be disfranchised by the present Bill, it was not the freemen alone who were corrupted, but the £10 householders and persons whose rents were as high even as £300, or £400 a year. In Great Yarmouth there were no freemen, they had been disfranchised in that borough many years ago. In Lancaster the £10 householders — the out-voters, some of whom were substantial farmers—were the chief persons who took bribes. In Reigate there were no freemen, in Totnes hardly any, and in Wakefield, again, none at all. On the authority of these facts, therefore, he denied that freemen were peculiarly corruptible. In the case of the sons of freemen now living, and apprentices, he hoped that the Committee would preserve their inchoate rights. These young men had entered upon their period of apprenticeship, having the prospect of the franchise before them, and as the House of Commons had always respected existing rights, and great numbers of these freemen would neither get the franchise as householders nor lodgers in the sense of the Bill before the Committee, while on the other hand they had done nothing which peculiarly called for their exclusion from the privilege of voting, he trusted the Amendment would be rejected.

MR. LOWTHER said, that he must also object to the argument that corruption existed principally in those constituencies which included a large number of freemen. In 1848 it was considered that the best means of purifying Yarmouth was to disfranchise the freemen; but corruption, so far from being extinguished, increased tenfold, and eventually, nineteen years afterwards, brought upon that borough the fate which was only averted in 1848 by making a scapegoat of the freeman. In the case of Totnes, also, it was well known that the borough only contained six freemen, and he supposed it would hardly be contended that they were the persons who exposed the borough to disfranchisement. He trusted the Committee would not lose sight of the fact that the privilege of freemen was one which it had not been proved had been largely abused, though it was a franchise which had long been watched with great jealousy. Members on the Conservative side had been taunted with inconsistency in supporting a measure which it was said carried out the wildest schemes ever promulgated from the Liberal Benches. But if that inconsistency existed on the one side, it was shared by hon. Gentlemen on the other side also, for this attempt to take away the right of freemen to vote came from a zealous advocate of the rights of man.

MR. HEADLAM said, that when the freeman franchise was originated by our ancestors it was a most wise and judicious measure, as it gave the right of voting to the poor as well as the rich, and to persons closely connected with towns, and having a strong personal interest in their prosperity. It was true that the facilities of locomotion now spread labour so much over the country that the labourers in any particular town were not so closely connected with it as they were formerly; but when they were endeavouring to extend the franchise generally, a proposal so contrary to the whole spirit of the measure as that now before the Committee was a gratuitous insult to a class of men against whom no case whatever could be established. In former times outlying freemen scattered all over the country exercised the right of voting which they only derived from hereditary descent; but now that the right was confined to those who lived within the borough, the great source of objection to the freeman franchise had ceased to exist. Nearly 2,000 freemen voted in the town which he had the honour to represent, and he could say, without the slightest hesitation, that since he had been connected with it bribery had not prevailed either on one side or the other. If this Bill were to pass, the number of persons entitled to vote solely on account of freedom would not be very large, because most of them would be entitled under other qualifications. He would repeat his opinion therefore that it would be a gratuitous insult if the Committee were to insert such a proposition as that which had been made by his hon. Friend. He would certainly vote against it, and he trusted the Committee would throw it out.

MR. SCOURFIELD said, he had a very strong objection to speaking of any class of men as good or bad as a class. Men were good or bad individually, and not in classes. They were now making a great experiment of enfranchisement, and he did not think it was a fitting time for the introduction of disfranchising clauses. There was one franchise under the Bill which was of the most precarious nature, and that was the lodger franchise, and the House had better wait for a few years to see, if there was to be a race of corruption which would run the fastest. He protested, however, against disfranchising any body of men against whom no specific charge had been proved.

MR. BERESFORD HOPE said, that as he was the first Member, after the Mover, who rose to speak that did not represent a freeman borough, he could speak with impartiality on the question. Nearly all the reasons which had been urged against the proposal of the hon. Member for Bury rather led him to support it. He appealed to the candour of the Committee if the list of the freeman boroughs read by the hon. Member for York (Mr. Leeman) did not include the names of all the boroughs which had most frequently been before Election Committees. They had passed household suffrage and the lodger franchise, and if they allowed freemen also to vote, they would be nine-tenths of the way to universal suffrage, a point at which he should object to find himself. The Amendment before the Committee was the logical sequence of the rejection of the fancy franchises, for who would venture to say that the freeman was a better man than the graduate, doctor, clergyman, or lawyer, or the former very popular, but now discarded, ideal of the Liberal party, the gentleman with a balance in the savings bank? Allusion had been made to the hereditary character of this franchise, but its operation in these days, when the labour market ought to be free and class interests ought not to be encouraged, was to hold out a direct premium to young men to drag on, living in poverty in the town in which they were born, waiting for election time, in the hope of getting some of the good things of this world in the shape of five-pound notes, rather than go out in the world to prosper where the labour market was at the highest. In these days, and with increased locomotion, if they considered the real position of the class they were concerned about, the sentimental plea of local association was worth very little. The hon. Member for York (Mr. Lowther) had well described the future borough franchise as a hovel franchise; but freedom by servitude would be lower even than that, for the inhabitant of that hovel might have six or seven sons, and then the hovel would send up seven or eight votes, while the freeman by servitude, who slept under his employer's counter, could hardly be called a lodger. They would have plenty of fresh corruption under the new system, but was this a reason for retaining the old sore? If they were to have a great race of corruption, the sooner they put out of the way the tutors and leaders of the old corruption, and prevent them from infecting the new mass, the better. If they did not do this, the country would never believe that they were in earnest in their professed desire to put down electioneering corruption.

MR. GLADSTONE: Until the hon. Gentleman, who has just sat down, rose, it appeared as if the discussion on this interesting question was to remain in the hands of those who undoubtedly are entitled to take part in it, but to whom the public interest in connection with the subject ought not to be exclusively committed. I must really do what in me lies to defend my hon. Friend from the sharp censures which have been passed upon him for bringing forward this motion. I cannot think that this is a proposal which ought to be treated as an insult to any class whatever; nor am I to be deterred from giving a favourable consideration to it because of the charge that this is a disfranchising motion. It is said that it is most inconsistent of my hon. Friend to make a disfranchising motion when we are proposing a very wide and extensive enfranchisement. But, surely, if ever there is a period when a question of this kind should be entertained, it is a period like the present, because when we are making a very wide enfranchisement, we can afford to look with discrimination to the character of those who are enfranchised under any particular title, and therefore hon. Members must feel, in arriving at the conclusion that certain classes had better not continue permanently to exercise the franchise—that there is no occasion to fear that the popular influence in the election of Members of the House of Commons will be destroyed. And with regard to the 40,000 freemen alluded to, there is no doubt that by far the larger portion, probably not less than 30,000 of these, even if they were absolutely disfranchised as freemen, would be entitled to re-register as householders. The question, however, is not about the present freemen, and it is not proposed to treat them as guilty parties. My hon. Friend does not pretend to say that they had been guilty of corruption, but raises, very fairly, the question whether, when ample provision is about to be made for popular influence in elections, it is desirable to maintain this comparatively narrow and exceptional franchise. I hold that the motion is not in the slightest degree opposed to the spirit and intention of the proceedings of 1832. The Parliament of that year appears to have been by no means friendly to the permanent maintenance of the freeman's franchise as such; but when that Parliament was conscious, as it could not but be conscious, that the effect of establishing a £10 franchise, with the disfranchising of the scot and lot and potwalloping electors, would be, as it proved to be, to greatly restrict the franchise, and narrow the share of the working classes in the franchise, they deemed that it was wise to keep alive the freeman's franchise as a working class franchise. We are going to have a working class franchise, which all of us will admit is sufficiently wide and extensive, and an auxiliary franchise of this nature is not required in order to convey a just amount of popular influence at elections. Is it desirable that we should maintain a franchise totally distinct from the occupation franchise? That, I think, is the question which the Committee will have to decide. I say "from the occupation franchise," because I think that the lodgers' franchise, although it may be inconsistent with the principle of the Bill with respect to personal rating, is yet, undoubtedly, in substance, an occupation franchise; nor could you refuse the lodgers' franchise without giving so unequal and one-sided an application of your Bill to the great case of the metropolis as to make it an absolute necessity to admit it. But is it desirable to go beyond household suffrage, so understood, together with the lodger franchise? My hon. Friend who last spoke pointed out that there lies something beyond household suffrage — namely, universal suffrage; that is to say, there are classes and members of families not yet planted out into the world, and migratory persons, who do not fall within the household suffrage; and I am not sure that there is not some force in the observation of my hon. Friend that the maintenance of this exceptional class of voters may have some tendency to disturb at an early period the basis of your measure of franchise, large as it is, and to raise the question with regard to the general enfranchisement of those who are not embraced by the household suffrage, but who would be embraced by what is called manhood suffrage. That, however, is not the question which immediately stands for discussion. I frankly own that I do not think that this franchise is one well devised with respect to the pure and independent exercise of the suffrage. The principle upon which freemen are enfranchised has no relation whatever to fitness for the exercise of the suffrage. A householder is presumed to be fit for the exercise of the suffrage, because he is the head of a family and participates in public burdens; but the freeman has no participation in public burdens at all as such. An hon. Member has been bold enough to challenge the Committee as to the actual working of this franchise, and has stated that many householders paying considerable rents received bribes. No doubt in the great election of 1830 that practice prevailed at Liverpool to a considerable extent, and affected persons occupying a respectable position. As a general rule, however, I think there is no denying, if you divide your borough constituencies into two classes, placing on the one side those constituencies where there are freemen, and on the other those where there are none, that of the corruption which has become such a disgrace to this country an immense proportion is to be found in the constituencies which have freemen. While I cannot in the least degree wonder that Gentlemen who represent freemen should be disposed to take an unfavourable view of the amendment, I hope the independent portion of the House will look at the public interest involved— that paramount interest which we all have in purifying the constituencies of the country. A suffrage arbitrarily given has the effect of at once destroying in the mind of the voter that very idea which we have all professed we want to create and maintain there, namely, the idea that he is called, not to the exercise of absolute right, but of a power in the nature of a trust which it is his business to exercise on behalf of the community. By conferring a suffrage in consequence of the accident of a man's having been apprenticed, or the even greater accident of his having been born in a particular town, we in a great measure encourage in the mind of the elector the idea that the vote is a property of which he may dispose for his own benefit. What has been the experience in the towns that have lately been disfranchised? In Yarmouth the freemen were already disfranchised; in Reigate there were none, and in Totnes only a few; but in Lancaster, out of a constituency of 1,408, there were 980 freemen; and is it not remarkable, according to the statement of my hon. Friend (Mr. Leeman), that this borough presented a much greater proportion of corrupt voters than any of the other three towns which have been disfranchised? The per centage of freemen who were guilty of giving and receiving bribes were far greater than the per centage of householders. I do not think a single fact can be elicited from the electoral history of the last five-and-thirty years which does not tend to show that occupation is a far better and a far purer basis for the suffrage than arbitrary privileges of this kind received by inheritance, or by the accident of apprenticeship in one place rather than in another. I believe no greater mistake was made by the Parliament of 1832 than when they kept alive the freemen and disfranchised the householders. If they had kept alive the scot and lot voting upon the basis of the old household franchise, and provided for the gradual cessation of voting by freemen, it appears to me they would have done much more wisely. There can be no party division on this question; the only thing at issue being the public interest; and whatever division takes place will be between those Gentlemen who have freemen constituents, and those who have none. I do not, however, suppose that my hon. Friend will divide the Committee unless he is encouraged by the support which his proposal receives in debate; but I believe that the adoption of the Amendment of my hon. Friend will be a result honourable to the House and useful to the country.

Mr. NEWDEGATE said, that he was not the representative of any freemen constituents, but of a large number of freeholders. He had, however, had an opportunity of observing the conduct of the freemen of Coventry, who were more numerous than those of any other constituency in the kingdom, except London, and he believed that that electoral body fully deserved the high character which Mr. Ellice, their late representative, had given them. There were in the country no class of men who were more independent than they were. They had returned Mr. Ellice himself, Sir George Turner (conservative), Sir J. Paxton, and the present senior Member (Mr. Eaton), who had stood at every contested election for thirty years, and. who, although he had never spent a shilling, had always polled a thousand votes. The freeman vote was an aristocratic suffrage held by the working classes, and it was no mere sentiment to wish to preserve it. Parliament, in 1832, disfranchised the scot and lot voters, and potwallopers, but the freemen were saved. If they collected the working classes in small knots, they would expose them to terrible temptation. This was the case when there was a small knot of freemen, of scot and lot voters, or of potwallopers, whether they were by themselves or were among a more wealthy constituency. But in Coventry there was a sufficient body to resist the temptation, and there was scope for the generation of a public opinion amongst them, and he spoke with full knowledge when he said that at Coventry the freemen were not corrupt. He thought it would be an exceeding hard thing to disfranchise the freemen when they were reviving the scot and lot voters, and the potwallopers under the title of household suffrage. They hoped that the new constituencies would exist in sufficient numbers to preserve their purity, and he thought that it would be inconsistent to take that opportunity of destroying the only franchise among the labouring classes that the act of 1832 preserved. They valued this property, and were proud of it, and he was surprised to hear the right hon. Gentleman say that a franchise derived from property generated corruption. If so, what were they to say of the freehold suffrage? It had been said that it was a misfortune for a man to remain labouring in the same town where he was brought up, but such a doctrine was the American practice, run mad in principle. The object to be held in view was that permanent connection with a borough should be the principle of the franchise in boroughs. He should regret if this ancient franchise of the working classes was not preserved.

Sir FRANCIS GOLDSMID said, he thought that the point was not properly raised by the Amendment.

The CHANCELLOR of the EXCHEQUER: We have heard something in the course of this debate about the taint of bribery. But what we wish is to protect the measure before us from the taint of disfranchisement. That we have throughout our proceedings endeavoured to accomplish, and I should be very sorry if the Committee now were tempted, by an appeal to facts the accuracy of which, I think, we have some cause to question, and by arguments which appear to me to lead to a very different conclusion, to arrive at a result which I believe would be most unpopular in this country, and would outrage the feelings of those who have a right to be considered and heard upon this occasion. Since I have been in Parliament I have heard this question agitated as to the peculiar corruption of the freemen of our boroughs. But it never has been proved. Has it been proved to-night by an appeal to those boroughs which the House of Commons had very properly agreed to disfranchise? There is the borough of Totnes, where there were no freemen, and yet in Totnes the system of political bribery was carried to its zenith. There were no freemen in Reigate, and as for Yarmouth, you disfranchised the freemen long ago, on the plea that there was great corruption in the constituency; and from what has since occurred at Yarmouth the inference is, the freemen there were, perhaps, unjustly disfranchised. Of the four boroughs disfranchised, there is only one in which you can make a colourable case against this class of electors, and that is Lancaster. This is a franchise which is prescriptive, which is old, and which is hereditary. I do not understand why you should grudge the working classes of this country the possession of a franchise which is prescriptive, old, and hereditary, and why you should turn round and say, "We are going to introduce a new system, and these qualities are no longer wanted or esteemed." Apply that principle to other classes of society in this country, and the conclusion you arrive at would be an awkward one. There never has been a satisfactory case made out against this class of voters. That they may have committed excesses at times is possibly true; but such a charge may be urged against almost every class of the constituencies. There is, in my mind, no reason whatever under present circumstances that the House should take a course of so tyrannical and oppressive a character, and should force such a provision into a Bill which, while more largely extending, than ever has been proposed, the political privileges of the great body of the people, has studiously avoided the odious quality of disfranchising any one.

MR. COWEN said, that the freemen of Newcastle were as independent as any other part of the constituency.

SIR HENRY EDWARDS said, he had risen six times but was unfortunate in not catching the eye of the Chairman of the Committee, and he could now only express his regret that he could not go fully into the question, the House being wearied with the subject, and determined to divide before dinner. The principle the House was then adopting was that of enfranchisement, not of disfranchisement, and he trusted the hereditary rights of the freemen might not be disturbed. He could bear testimony to the integrity of that body, from which he had so frequently received independent support, and really, under all circumstances, he could not understand why the existing law should be altered as regards them. He (Sir Henry Edwards) represented a large constituency, the majority of whom were freemen, and he must say that, when wholesale charges like those they had heard were brought forward, it was highly necessary for those Members who represented freemen to defend them from the imputations which had been made. It was all very well for the late Chancellor of the Exchequer to bring forward two or three cases of corruption amongst freemen; but it was most unjust for those isolated cases to seek to attaint the freemen of other boroughs. All he (Sir Henry Edwards) could say was that the honour, independence, and moral character of his constituents were unimpeachable, and he protested against the attempt to place them all in the same category as the freemen who were unfortunate enough to fall under the opprobrium of the right hon. Gentleman the Member for South Lancashire.

MR. HARDCASTLE said, he was satisfied with the discussion that had taken place, and in the present temper of the Committee he would not press his Amendment to a division.

MR. ROEBUCK said, he would not detain the Committee except to say that he entirely dissented from the Amendment which had been moved.

MR. SANDFORD said, he hoped that the Amendment would be at once negatived by the House, and not simply withdrawn.

SIR ROUNDELL PALMER said, that the words proposed to be left out ought to form a portion of the clause, even if the Committee disagreed to the principle of the Amendment, although the principle of the Amendment were agreed to.

Amendment *negatived.*

MR. DENMAN moved an Amendment to add, after the word "admit," in line 20, the words "to any person hereby authorized to vote, and shall also apply."

THE ATTORNEY GENERAL said, he had no objection to the Amendment, with the addition at the end of the clause of the words, "and to the franchise hereby conferred."

Amendment *agreed to.*

MR. HOLDEN said, that Knaresborough was one of the smallest boroughs in the kingdom in point of area; but his hon. Colleague proposed to add twenty square miles to it. It was generally found that tenants holding land thought themselves obliged to vote in accordance with the opinions of their landlords, and nine voters had been deprived of their holdings for giving him (Mr. Holden) a free and independent vote. He did not fear the extension of the borough if the defect of the old law were amended, but he wished to prevent any voter from voting in respect of land alone with a sham building erected upon it to evade the law. He had felt that he could not conscientiously allow the opportunity to pass without taking the sense of the House upon it, and hoped he should have the support of Gentlemen on both sides of the House. He should conclude by moving the insertion of the Amendment of which he had given notice.

Amendment proposed,

At the end of the Clause, to add the words "save and except that in all registrations and Elections after the passing of this Act, the person entitled to be registered and to vote in the Election of a Member or Members to serve in any future Parliament for any Borough by reason of the occupation of any House, warehouse, counting house, shop, or other building (not being a dwelling-house) jointly with any land, of the clear yearly value of not less than ten pounds, shall be a person occupying as owner or tenant a house, warehouse, counting house, shop, or other building, being of the clear yearly value of five pounds independently of such land held under the same landlord in such Borough."—(*Mr. Holden.*)

THE CHANCELLOR OF THE EXCHEQUER intimated that he objected to the insertion of those words.

MR. GLADSTONE said, he should like much to know the view taken by the Government as to these words. He thought the proposal a reasonable one, inasmuch as it was desirable that the qualification of the voter should be derived from buildings which were of a substantial, and not of what he might term a merely colourable character. His hon. Friend proposed as a check that the building should be of the clear annual value of £5. If it were opposed by the Government he thought the reasons for opposing it should be stated.

MR. STEPHEN CAVE said, that the Amendment went far beyond the creation of faggot votes. Its operation would be to deprive in many instances of the franchise, persons who had a large stake in a borough, but who happened to have no building on their land of the value of £5. The hon. Member for Midhurst, for example, occupied 500 acres inside that borough; but there was upon it, he believed, no building which would meet the requirements of the Amendment.

MR. ROEBUCK said, he thought that this was an exceptional case. He wanted to know why the law should not be made to apply to all persons equally who resided in the borough—namely, by declaring that all persons having a right to vote in a borough should have the right to vote on account of a dwelling-house, no matter what its value was so that it was rated, and that the owner or occupier had paid the rates? By that means the creation of faggot votes would at once be prevented.

SIR ROBERT COLLIER said, that his hon. and learned Friend's suggestion would, if adopted, go to the extent of disfranchising those existing voters who were the occupiers of shops, warehouses, and other buildings in a borough, but who did not happen to have a dwelling-house on the property which they possessed. The Amendment was, in his opinion, one which would have the effect of obviating an evil, the existence of which hon. Gentlemen on both sides of the House must admit. The proceedings of the Totnes Commission showed that, in the case of that borough, there had been, on both sides, a systematic creation of faggot votes by the subdivision of land and the erection of what were called "buildings," but which were of merely nominal value. He thought the Amendment would be a beneficial one, as it was intended to prevent the creation of faggot votes.

MR. MITFORD said, as his case had been adverted to, he would state to the Committee how it stood. He occupied land of about 500 or 600 acres within the borough. He lived just outside the borough. The quality of his land was meadow, with a proportion of woodland. There were certain buildings upon the wood—he would not say that these were worth £5 or £3. They were buildings proper for the carrying on of the business connected with the occupation of the land; and he could not see why the banker, who lived beyond the borough, but had a building necessary for carrying on his business within the borough, should have a vote while he was to be, under exactly the same circumstances, refused one. Passing from his own case he believed the effect of this Amendment would be to disfranchise a great number of innocent persons merely on account of the misconduct of Totnes.

MR. GATHORNE HARDY said, that what had been said by the hon. and learned Member for Sheffield came too late, for they had already passed a clause declaring that the franchises about to be conferred were in addition to, and not in substitution of, the existing franchises. It was true that the Court of Common Pleas had decided that the "other building" which was classed with shop, counting-house, and warehouse, in the clause of the Reform Bill, should be *ejusdem generis* with the buildings there referred to, by which he understood that it was not to be moveable—that it was a substantial building. Beyond this consideration, they must also remember, that, in the counties, they had already agreed to give a vote to land worth £12 without a building at all. This particular franchise, though it might have been in some respects abused, had been in existence ever since the Reform Act, and a great many persons had been enfranchised under it, and it would be objectionable to disfranchise those against whom no charge had been made.

MR. MONTAGU CHAMBERS said, he did not think that a country gentleman had any ground for saying that it was a hard case that he could not annex an insignificant building such as a cow-shed to land, and get a vote thereby. On the contrary, he thought that it was a step in the right direction to provide that such buildings annexed to land should not give the right of voting in boroughs. He thought the clause as it stood was liable to great abuse, and therefore, he should support the Amendment.

SIR ROUNDELL PALMER said, that, in his opinion, it was intended that property should give a vote for counties, not for boroughs. No one would believe that it was ever intended by the Reform Act to give a vote for land in boroughs, whatever was the character of the building upon it, or that a cow-shed should give a vote. It was an abuse which had grown up under the Reform Act, and experience proved that it had become a systematized abuse. He did not think that the words proposed as an Amendment would do any harm, and in many cases he believed that they would do good.

THE CHANCELLOR OF THE EXCHEQUER said, he wished to remind the Committee that this land was as much occupied in the borough as a house was occupied, and they ought not to be quarrelling about whether the buildings on it were worth £3 or £5. The law had made the land a portion of the borough, and therefore the question was not whether the building or the land was a cow-shed or not, but whether the person who occupied it within the borough ought to have a vote. Last year a clause of the same nature was placed in the Bill of the right hon. Gentleman opposite.

SIR ROUNDELL PALMER said, it was very seldom the right hon. Gentleman failed to comprehend an intelligible proposition, and still more seldom that he fell into a gross error. But he must remind the right hon. Gentleman that it was not true that land in a borough gave a vote. It must be a building, and it was never contemplated that the building should be other than a dwelling-house, shop, or warehouse. The right hon. Gentleman was also in error when he said that this proposition was contained in the Bill of last year. What was proposed was the same as had been this year proposed with regard to the counties, but to which the House did not agree—that the house upon the land should be of a certain value. It had nothing to do with the present matter.

SIR HENRY EDWARDS said, he would be the last man in the House to impute motives, but he must say that if the Amendment of the hon. Member for Knaresborough were agreed to, it would leave him and any future Liberal candidate in possession of the borough. He (Sir Henry Edwards) knew the town of Knaresborough well, and at the present moment the late Member, as well as the present Colleague of the hon. Gentleman, had a good deal of land within the borough which gave votes, as there were several buildings upon it of stone or brick having doors, and he dared to say windows also, that were occupied by cows and horses.

[*A laugh from Mr. Gladstone.*] The right hon. Gentleman appeared much amused at the remark, and he therefore would not take the case of Knaresborough alone; he would instance also the town of Halifax which he (Sir Henry Edwards) had represented five years. Both parties there erected buildings upon the land within the precincts of the borough for the purpose of obtaining votes. The supporters of the noble Lord who sat more than a quarter of a century for Halifax (Sir Charles Wood, now Lord Halifax) took advantage of the clause in the Act of Parliament—erected sheds and created a great number of votes—faggot votes if the Committee so liked to call them—in that way. He (Sir Henry Edwards) could not deny that the Conservatives also had been parties to the parcelling out of land and building sheds upon it. The sheds were not as it had been stated by hon. Members, of the value of £3 or £5, for he believed they had found great difficulty in erecting any under £20, and now that the Liberal party were masters of the situation, they of necessity reaped the advantage of the outlay of their opponents.

Mr. ROEBUCK said, he did not want to introduce any personal matter. The hon. and learned Member for Richmond had clearly and correctly stated the law, that in boroughs not the land but houses should have a vote. What he would like to see was that the building which was to give a vote within a borough should be a dwelling-house—nothing else. There were a great many people who objected to faggot votes, but yet would do nothing to obviate them. The only real way of preventing them was to require that every man who had a vote should have a dwelling-house for which he was rated, and paid rates; anything else would open the door to the abuse, of which they had already heard, of parcelling out the land. It was said that if this plan were adopted many voters would be excluded. But it would exclude no real voters, and you would then have as good a constituency as could be got for England.

Mr. M. T. BASS said, he would ask the hon. and learned Gentleman whether he meant that because he (Mr. Bass) had within a borough a brew-house worth £3,000 or £4,000 a year, and resided beyond the boundary, he was not to have a vote.

Mr. BAXTER said, that after the speech of the hon. Baronet (Sir Henry Edwards) the Committee could have no hesitation in adopting the Amendment. This mode of parcelling out the land had been carried on systematically, and was altogether opposed to the principles of the Constitution, and he agreed with the hon. and learned Gentleman that they ought to insist on a dwelling-house as the basis of the borough franchise.

Mr. GLADSTONE said, it was not competent for them to raise the question of a dwelling-house at this stage of the Bill; but these words did raise the question of real and *bonâ fide* value for a qualification, and they struck at the root of the practice so graphically described by the hon. Baronet. The hon. Baronet declared that this practice was resorted to by both parties. He had not the least doubt of it, and he would suggest to both parties that they ought now to join in putting an end to the practice.

Mr. GATHORNE HARDY said, this Amendment came with an extraordinary grace from hon. Gentlemen on the other side, when not long since they recommended a proposition that land and building together of the value of £5 should confer a vote. [Mr. Gladstone *dissented.*] Yes; if the right hon. Gentleman looked back he would find that it was so. As to the proposition of the hon. and learned Member for Sheffield, that the franchise should be confined to a dwelling-house, it would disfranchise nearly the whole constituency of the City of London. His objection to the Amendment was that the Committee were called upon to pass a disfranchising clause without reference to any harm that was now done by the law as it stood.

Sir ROUNDELL PALMER said, he was not responsible for the Amendment to which the right hon. Gentleman referred.

Mr. D. ROBERTSON said, he should support the Amendment, as he was anxious to put down the system of faggot voting, which prevailed to a great extent in his country, and which he believed had also gone to a great extent in England. He remembered once seeing a piece of land divided into two portions, and half a shed standing on one portion and the other half on the other. He asked his friend, the proprietor, what was the meaning of it. "Oh," he said, "that is to give a vote for each portion." He considered that the chief safeguard in conferring the franchise, was to require residence as a qualification. He was, therefore, in favour of the proposition of the hon. and learned Member for Sheffield that only a dwelling-house should give a vote, and he would extend that provision to counties as well as boroughs.

Colonel PERCY HERBERT said, he thought it would be hard to disfranchise persons who were liable to pay rates within a borough, because they happened to live outside the borough boundaries, which were often arbitrarily fixed.

Mr. M'LAREN said, the Amendment ought to be supported because it intended to destroy a great abuse which they all agreed in denouncing. They were now all agreed in supporting household suffrage, which was the lowest suffrage to which they could go except manhood suffrage. But the franchise which hon. Gentlemen opposite were struggling to obtain was simply a cow-house franchise; and he thought the cow-house suffrage was a great deal worse than manhood suffrage. To show the absurdity of the franchise, he might mention that there was a decision by a Scotch judge that a rabbit-house erected by some boys, was a house under the meaning of the Act, and gave a vote along with land. Hon. Gentlemen talked of preserving the existing law, but they ought to remember that this was an abuse which had grown out of the existing law, and that if it were allowed to go on it would make the suffrage lower than the present Bill proposed.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 98; Noes 106: Majority 8.

Mr. COLVILE then rose to propose to add at the end of the clause—

"Provided, That so much of the Act of the Second William the Fourth, chapter forty-five, as disqualifies the owner of any copyhold tenement situated within a City or Borough (who would be otherwise qualified) from voting in the election of a Member or Members for the County during the time that the same tenement confers a right of voting for such City or Borough on any other person, shall be and the same is hereby repealed."

He said that this Motion followed as a natural sequence to the proposition which he had previously made for approximating, as far as possible the copyhold to the freehold franchise—a proposition which the Committee had thought fit to adopt. The proposal which he had now to make was to place the owner of a copyhold property, whose land was within the limits of a Parliamentary borough on the same footing as the owner of a freehold property similarly situated. By the Act of 1832 the owner of a freehold in a borough had a vote for the county, even though the occupier was entitled to vote for the borough. He wished that the same right should be extended to the owner of a copyhold. As a great many copyholders would be disfranchised by the proposed extension of the boundaries of boroughs, and as the Committee had been so often told that this was an enfranchising, not a disfranchising, Bill, there was an additional reason why his proposal should be accepted.

Amendment proposed,

At the end of the Clause to add the words "Provided, That so much of the Act of the Second William the Fourth, chapter forty-five, as disqualifies the owner of any copyhold tenement situated within a City or Borough (who would be otherwise qualified), from voting in the Election of a Member or Members for the County during the time that the same tenement confers a right of voting for such City or Borough on any other person, shall be and the same is hereby repealed."—(*Mr. Colvile.*)

Mr. PEASE said, that there was an argument in favour of the Motion which his hon. Friend had not mentioned. The Reform Bill of 1832, when giving the freeholder a qualification at 40*s.* and the copyholder one at £10, took an exaggerated view of the distinction between the two, while the copyholder was also debarred from exercising the same privileges as the freeholder with regard to county elections. In his part of the kingdom only copyholds by inheritance were known, and they were substantially as good as freeholds. If any difference was to be kept up between them, that already adopted by the Committee in fixing the copyhold franchise at £5 was surely sufficient, and they ought in other respects to be placed on an equality. In the county which he represented (South Durham) the present Bill was about to make three new boroughs, in which there were at present 320 copyholders of above £10 value. These men had for thirty-five years voted for the county, and from 120 to 180 did not reside on their copyholds. The clause therefore without the Amendment of his hon. Friend, would disfranchise nearly 200 voters who had exercised their franchise for the last five and thirty years. Two freeholders, by living in each other's houses, would enjoy a vote both for the borough and the county, while two copyholders, whose houses might be better, but were subject to a payment of

1*d*. or 2*d*. a year, would only have a borough vote.

Mr. BRIGHT : I do not know whether the right hon. Gentleman will put the Committee to the trouble of a division on this proposition. It appears to be exactly in accordance with all the ancient principles of Gentlemen opposite in which we also coincide. Where we can find anybody who possesses anything that is likely to have influence we should be glad to give him the franchise. No person can say there is any ground for excluding the copyholder that does not equally apply to the freeholder. In the case referred to by my hon. Friend, it would be a grievous wrong to the copyholder to make a distinction between them. We should not allow this measure to disfranchise a considerable number of persons holding property, and in every relation of life just as respectable, influential, intelligent, and solid citizens of the country as the freeholders who have votes. The question does not affect this or that side of the House in particular. In removing the accidental and unwise anomalies of the Act of 1832 the Committee should deal generously and equally with persons whose position in respect to claiming the franchise must be held to be exactly the same as the freeholders. I hope the right hon. Gentleman will consent to the proposed change. As we are making a Bill which we hope need not be brought before the House for some time, it is not worth while to leave little errors and unjust provisions, and thus excite feelings which will cause men outside to call into question the justice of Parliament.

Mr. HENLEY said, it would seem from the remarks of the hon. Gentleman who had just sat down that he had misapprehended the question somewhat. This was not a question of justice or of injustice, but the Committee had he thought utterly rejected the Motion of dual voting, and this was a proposal to establish dual voting completely. He had always maintained that a person having a freehold in a borough not occupied by him, and out of which he did not vote for the borough, should have a county franchise. But the present proposal would give a man a vote for a borough in respect of the house in which he lived, and another for the county in respect of the same house. ["No, no!"] That was how he read the proviso, and if he were wrong in putting upon it that interpretation he should be glad to be corrected. The principle on which he had always upheld freehold franchises in towns was, that it was an old one, but he did not see why this copyhold franchise, which was an entirely new one, should be made into a county vote, seeing that the property giving the vote was entirely within the borough. He should vote against the clause, because it was giving a privilege to a person who never had it before.

Sir ROUNDELL PALMER said, he believed the right hon. Gentleman misunderstood the Amendment. He agreed with the right hon. Gentleman that they ought not to give a man a vote for the county as well as for the borough in respect of the same qualification. The Amendment, however, would not interfere with the 24th clause of the Reform Act, which precluded persons from having two votes for one qualification, but would simply provide that a copyholder or leaseholder letting his property to a person who thereby gained a borough vote should not be deprived of his vote for the county. Such an Amendment of the Reform Act was obviously just, for the distinction between freeholds and copyholds was purely arbitrary, and there was no reason why there should be any difference in the electoral privileges of the two. He wished the Committee to understand that this Amendment, although seeming to be merely a revision of something that was anomalous in the Act of 1832, was much more, because the Reform Act of 1832 did not disfranchise any one. It proposed not to give the copyholders a vote for the borough; but now that they were giving votes to all householders in boroughs, the effect of the clause without his hon. Friend's Amendment would be to take away thousands of county votes, not because the owners had votes for the boroughs, but because the tenants had. Such an anomaly could not be defended.

Mr. HENLEY said, he saw that he had misread the clause, but at the same time he was adverse to its being adopted; as the copyhold franchise was an entirely new franchise, and he did not see why it was now to be turned into a county vote, the property being wholly within the borough, and having nothing at all to do with the county.

Sir ROBERT COLLIER said, that the House had already decided against the distinction which had prevailed between the copyholder and freeholder, and the sole object of the Amendment was to put copyholds, *quoad* the county representation, in the same position as freeholds ; and as the proposal was one of enfranchisement, he hoped it would not be resisted by the Government.

MR. ADDERLEY said, the question before the Committee was whether the property which gave the vote should be within the place for which the representative was elected; or whether they would give the right to vote for the county upon a qualification within the borough. If it was desired that there should be symmetry in their legislation as respected freeholds and copyholds, let freeholds be put on the same footing as copyholds in that matter, and thus carry out the principle that every locality should return its own representative to that House. In the Reform Bill of last year it was proposed to enable leaseholders in boroughs to vote for counties; but when it was shown to the right hon. Gentleman the Member for South Lancashire that that would have the effect of completely swamping the county voters in many parts of England, he very fairly consented to drop that clause of his Bill. The reason why borough freeholders originally obtained votes for counties was, because it was supposed there was something in a freehold which should confer a county vote, and something in an occupation which should confer a borough vote; but that distinction had long been abandoned, and he protested against extending to another class of voters that which was not only an anomaly but a violation of the principle of representation. A man should, in his opinion, only be allowed to vote for the town or county in which the qualification existed. If they adopted this proposal, they might as well say that in future Birmingham should have the right of saying who was the best representative for the county of Warwickshire. The hon. Member for Montrose (Mr. W. E. Baxter) had said that a person ought only to vote in the place where the qualification was situate, and he therefore called upon him to vote against this Amendment.

MR. BRIGHT: My hon. Friend the Member for Montrose comes from Scotland, and I presume that in Scotland different principles prevail from those we have in England. Therefore that argument ought not to be taken into much consideration in this matter. The right hon. Gentleman is totally in error in saying that the late Chancellor of the Exchequer withdrew his clause last year because it was indefensible. He withdrew it simply because he did not want to jeopardize the passing of his Bill by having points of dispute of no great importance. But he never admitted that he was wrong, and that the right hon. Gentleman and his Friends were right. The question is simply this—the Reform Bill did not give votes to the owners of copyhold property in boroughs where the property in those boroughs gave a vote to somebody else. In that particular it treated copyhold property differently to the treatment given to freehold. But then it left all the copyhold property, which in boroughs had no occupation of £10, to give a vote to the occupier in the county. If a man living anywhere outside of a borough had copyhold property in the borough of the value of £10, it gave him a vote for the county; but in the borough there might be nobody upon it who occupied it at £10, and, therefore, nobody got a vote inside the borough. There are many thousands who, from 1832 to this hour, have voted as copyholders in virtue of copyholds within the boroughs. Are you then prepared to disfranchise these persons against whom there has been no charge of incompetency of any kind? The right hon. Member for Oxfordshire is in favour of anything that is old; well, thirty-five years is a good while. The right hon. Gentleman the Chancellor of the Exchequer, too, says he would not disfranchise anybody; but it is perfectly clear that by this proposal he will disfranchise many thousands, a great majority of whom may be supporters of the party opposite. These men have exercised the franchise with perfect purity and without harm for thirty-five years, and it is now proposed that they shall be disfranchised because somebody else is going to vote in respect to the occupation of their copyhold property within the limits of a borough. I say that it is contrary to the spirit of our legislation not to adopt the proposal made to us, and I therefore trust that the Chancellor of the Exchequer will see his way to accepting it.

MR. BANKS STANHOPE said, he could not see how the reduction of the copyholder's qualification in counties could be a reason for creating an entirely new qualification. Lord Althorp had said that the great difficulty of the Government of 1832 was what to do with the freeholder. The Government of that day did not know whether he ought to vote for the county or for the borough, or both. Lord Althorp introduced the existing anomaly in the settlement of this question by the Reform Bill of 1832; and now by this Amendment the anomaly would be increased and the evil enlarged. Last year he was astonished at the proposal of the late Government for admitting the leaseholder and the copyholder to a county vote, without any information being supplied as to what the number of these voters would be likely to be. This year they were invited in plain English to swamp two-thirds of all the counties by voters who resided within the boroughs, for the sake of some sort of uniformity which, he confessed, he could not recognize. That was the clear, broad, and plain issue. Was it or was it not desirable that the county representation should reflect the agricultural interest? If the uniformity contended for must be had, the door was opened for the consideration of the question how far they were right in allowing a freeholder who lived in a town to have that double qualification by which the tenant voted for the county as well as the borough. He did not know where such an argument would end or what would come of it. It had been maintained that the progress of the Reform Bill had hitherto been conducted with fairness; but the readiness in some quarters to adopt this proposal might seem to some to indicate that the period of fair adjustment had passed, and that the majority of the House were determined to curb the agricultural interests by means of the towns.

Mr. MONTAGU CHAMBERS said, he thought the proper course for the Committee to adopt was to do that which was in itself right, *coute qui coute,* not by their decision to give colour to the remark of the hon. Member for Birmingham, which was taken up out of doors, that what the House of Commons gave with one hand they took away with the other; because, as the Bill stood, while it enfranchised the occupiers of small copyholds in boroughs it would disfranchise their owners. Copyholders were in as good a position as freeholders—in some respects, indeed, they were in a better position, because they had registered titles—and therefore they ought to have the same rights. The right hon. Gentleman the Under Secretary for the Colonies desired to disqualify the freeholders in boroughs from voting in counties; but he need hardly remind the Chancellor of the Exchequer how great was the opposition which was excited by a similar suggestion made in 1859.

Mr. PACKE said, that, considering the great power which the towns possessed in the constituencies, the question was whether it ought to be increased by additions from the town voters in counties. He feared that the tendency of this Motion, and of a similar one for the benefit of leaseholders in boroughs, was to increase the urban element in counties, the representatives of which were already greatly in a minority in that House, and to swamp the county constituencies by Motions of this sort.

The Marquess of HARTINGTON said, he could not agree with the Under Secretary for the Colonies that this was not a question of disfranchisement, as under the provisions of the present Bill there were many copyholders in boroughs holding copyholds separately under the value of £10, but collectively about £10, now possessing votes for the counties, but who would lose their franchise as soon as their tenants obtained borough votes. He therefore could not suppose that the Chancellor of the Exchequer would oppose an Amendment intended to prevent the Bill having (to use the expression of the Chancellor of the Exchequer) any taint of disfranchisement. Almost every Gentleman who had spoken on the other side had argued nominally against the possession by copyholders and leaseholders in boroughs of county votes, but really against freeholders in boroughs being allowed to enjoy the county franchise, for, in truth, there was no distinction between the cases. He trusted the House would not agree to draw so sharp a line of distinction between the borough and county constituencies, and that they would be inclined rather to diminish the sharpness of the line by which they were now divided. Under the Bill as it is a considerable number of voters for counties would lose their votes. It was true that they would acquire votes for boroughs; but it was not desirable further to extend the system of transfer.

The ATTORNEY GENERAL said, that the Amendment would in effect repeal a clause of the Act of 1832. The Bill was framed with a view to preserve the provisions of that Act. The Government stood by the Act of 1832 loyally, and notwithstanding that they disapproved of the privilege which it conferred upon freeholders, and the introduction to that extent of the urban element in counties, they accepted that provision and did not propose to alter it. They could not, however, agree to an extension of it to leaseholders and copyholders. The question was this, was it or was it not desirable to have a distinct representation of counties and boroughs, he did not mean of class and class—for all classes were represented in counties as well as in boroughs—but a distinct representation of counties and boroughs. If they did, they would reject the Amendment. The interests of the two, although in the long run they were one, were yet popularly distinct and separate, and so also should be their representation. Persons who held these interests in boroughs did not represent the rural but the urban interest, and if it were right to maintain the representation of the country distinct from that of the towns, the Committee would break in upon that principle in determining that the holders of leases and copyholds should have a vote in the counties. If the Amendment were agreed to, the Bill would have to be re-cast, and then it would be a question whether the Bill could be passed this Session.

MR. M. T. BASS said, he doubted whether it was either expedient or wise to maintain these distinctions between borough and county constituencies, of which they had heard so much that night. They had recently heard from a very high authority how intimately connected the borough and county interests were. The Chancellor of the Exchequer had told them the number of boroughs which represented county interests, and he (Mr. Bass) asked, why not allow the voters in boroughs also to represent county interests? It appeared to him they were attempting to make a distinction without a difference; for, in point of fact, copyholders were freeholders if they deducted only some 3 per cent of the value. If they tried the question by the tables of valuation, they would find that copyholds were worth in the market within 3 per cent of the value of freeholds, and in some cases they were even worth more, because they gave a title which could not be disputed. To be consistent, if they withheld from copyholders the right of voting in counties, they ought to take away from freeholders the privilege which the Act of 1832 conferred on them.

MR. SCOURFIELD said, that he had always entertained a strong sense of the injustice of those who were really town voters being introduced into the county constituency. The 40*s.* freeholder was a complete anomaly, and was retained in the Constitution as a venerable piece of antiquity, and nothing else. In the borough he represented, the freeholders voted for the borough and not for the county, provided they lived at a moderate distance, and that was the case at Bristol, Nottingham, Norwich, Exeter, and Lichfield. If this system prevailed in these boroughs, there could be no injustice in extending it, so that copyholders also in boroughs should have votes in those boroughs, but it would be an injustice to extend their right to do so in the counties. Let there be fair play, and if holders of property in boroughs were allowed to vote for counties, do not exclude the counties so studiously from any share in the borough representation.

MR. NEATE said, that the Amendment would give to copyholders the right of two votes—one in a borough and one in a county. There was, however, a great deal of difference between the copyhold and leasehold clauses, notwithstanding what had been stated by the Attorney General, because the copyhold clause could give only two votes to the same property, while the leasehold clause might give three. There might be objections therefore to the latter, which could not apply to the former, and if he voted for the Amendment it would be on different grounds.

MR. READ said, that there was no reason why, because the Reform Act of 1832 sanctioned a great anomaly, and, in his opinion, a great injustice, by allowing freeholders in boroughs to have votes in counties, they should now wish to increase the injustice by extending the same privilege to copyholders. The tendency of the last few years was to reduce the number of copyholds by converting them into freeholds, for which every facility was given. In his opinion they ought to assimilate the law of England to that of Ireland and Scotland, where the owners of property had votes for boroughs, and that was the case in a few places in England also. But for the accident of the freeholders in Norwich having to vote in that borough, the freeholders in that borough and in the borough of Great Yarmouth would together be half the constituency of East Norfolk. Property in the counties conveyed two votes, one for the owner and one for the occupier; he had not the least objection that property in boroughs should do the same, provided that both votes were given for the borough.

THE CHANCELLOR OF THE EXCHEQUER: We shall never make the constitution of England a strictly logical one, and I do not think it desirable that we should try. But I am not at all ashamed of the principle to which I have often given expression in this House, and which is, I believe, a very sound one, that it is just that a person should vote where his qualification is found. The question with regard to freeholds is settled, and I have no wish in any way to disturb it. It rests on ancient prescription, and it is unwise at all times to disturb such prescription. But it does not at all follow that because copyholds are ormaybeequivalentto freeholds—anomalies which you respect because they are ancient, that they should be adopted and converted into precedents for carrying a thing further which cannot be reconciled to any principle of propriety or justice. It is all very well to say that we should not be encouraged to draw hard lines between counties and towns. Whether we are encouraged to do so or not is of very little importance, because very hard lines between the two do not and can never exist. Sensible distinctions, however, are recognized not only by our habits, manners, and customs, but by the laws of the country. You recognize a rural community, and you recognize an urban community. With respect to those Gentlemen who are perpetually counselling that there should be little or no difference between the population of counties and the population of towns, and who are really so exuberant in the expression of their sentiments in that respect, I have never observed that there is the slightest intention on their part to reciprocate the feeling which they strive to inculcate. If it be true that a freehold in a town should entitle a man to a county vote, why should not an occupation in a county entitle a man to vote for a borough ? But nothing of that kind is ever admitted. We are told that there should as little distinction as possible between the inhabitants of counties and those of boroughs with respect to their representation in this House. But suppose the peculiar Parliamentary circumstances that exist with respect to these two great portions of the nation were reversed, and that the boroughs for example, with less than half the population, were represented by 162 Members, and the counties, with more than half the population—or, at all events, with at least a moiety—were represented by 334, would hon. Gentleman opposite, who are perpetually reading these lectures to the inhabitants of the counties, be content with such a state of affairs ? Now it is not of the slightest importance whether we are represented by 334 or 162 Members. There is no sharp line, there is a perfect identity of interest, and we are reconciled to our share of the representation. Hon. Gentlemen opposite know very well that they in such circumstances would not be satisfied. Nothing of the kind ; they would have a League ; they would soon have an organized agitation, and a very successful one, for I am quite satisfied that the inhabitants of the towns would never submit to the monstrous injustice as regards representation which the inhabitants of the the counties have so long submitted to. The hon. Gentleman opposite (Mr. M. T. Bass) says that I have shown that a great many boroughs represent county interests, and that therefore there is an identity of interest between them. I hope there is an identity of interests between all portions of the nation. But I have shown that the change now impending with regard to the county interest is very small, and that no arrangement of that kind can give an adeqnate representation to the counties. Now under those circumstances, even if there were a tolerably fair division of the representative faculty in this House between counties and boroughs, so long as you recognize the existence of an urban and a rural community, nothing is more natural and constitutional on both sides than a certain jealousy as to the portion of representation which each is entitled to enjoy. I should not at all question the propriety of the representative of a borough resisting any invasion of his rights ; but let the natural feelings of those who represent the rights of counties be also respected. All the arguments that we have heard from hon. Gentlemen on this subject lead us, we have often been told, to electoral districts. But there is nothing to my mind more difficult of formation than electoral districts. You cannot come to a state of that kind by passing Acts of Parliament. You must change the associations of the nation ; you must change the habits and customs of generations, which in such a country as England are so surpassingly and singularly interesting. Whatever we do, there will still be for many generations boroughs and counties in this country, and though it may be impossible, with any severity of precision, to mark out the lines which separate them, still there should be an approximation to justice in their representation. I maintain that principle for which I have always contended, that on the whole a man should vote where his qualification exists. I am not seeking to cancel or disturb the right which a freeholder in boroughs pos sesses. It is a prescriptive right, but being a prescriptive right does not prevent its being an anomalous right. Why should we extend it? Why increase this anomaly by extending to copyholds the same privilege which freeholds possess? It is no answer whatever to say that now in the progress of circumstances and by the change of law copyholds are very much the same as freeholds. If you can prove upon any principle of justice that a freeholder in a borough ought to vote in a community in which he does not live, that might be a reason for extending the same privilege to the copyholder. But no one has done that. You can urge the claims of the freeholder only on the ground of antiquity, prescriptive right, and ancient usage, which it would be unwise to disturb. But if the copyholder be equivalent to a freeholder, the next thing will be to make the leaseholder also equivalent. When the long leaseholder is admitted you will be asked to admit the short leaseholder. Now, if you want to maintain, generally speaking, the distinctive character of county and urban constituencies, it is wise, I think, to disturb as little as possible the settlement of these matters which were effected in 1832. We have scrupulously shrunk from unnecessarily disturbing that settlement, and all our legislation has been, generally speaking, supplementary. We have tried to enlarge and confirm, but not to alter it. I hope, therefore, the Committee will hesitate before they accept the proposition, and that they will adhere, as far as this question of the copyholders is concerned, to the settlement of 1832.

MR. GLADSTONE: I pass by the well-worn fallacy of the right hon. Gentleman with regard to the comparison of the population of counties and the population of boroughs with the old protest, which must be renewed as often as that fallacy is repeated, that when you represent the population in counties as you represent the population in boroughs, then, and not till then, are you entitled to found the comparison of the respective amounts of representation upon the respective amounts of population. The right hon. Gentleman says, "Do not let us extend an anomaly," and, according to him, it is an anomaly that the town freeholder has a vote for the county. But why is this called an anomaly? It is the old principle of the Constitution—one of those principles which, whenever they come across the right hon. Gentleman's views and purposes, are treated by him with small respect, but which, when they suit those views and purposes, are sacred things, which no man is to question. The anomaly, if anybody wants to find it, will be found in the speech delivered by the Attorney General, and the astonishing results of the hon. and learned Gentleman's historical studies really ought to be embodied in a separate treatise, with notes and comments for the instruction of posterity. The Attorney General has positively discovered that this plan of allowing freeholders in towns to vote for counties was an innovation introduced in 1832, and he has actually persuaded the hon. Member for Norfolk, who likewise complained of the injustice inflicted in 1832. Why, it is the old principle of the Constitution, and what the Act of 1832 did was not to introduce the practice of freeholders in towns voting for counties, but to restrict that practice by disabling the voter from voting for the county where he occupied his freehold in the town. I will not anticipate the debate that is by-and-by coming on, when I shall have occasion to correct the entire misrepresentation of the right hon. Gentleman the Member for Staffordshire on the subject of the proposal of last year. My noble Friend (the Marquess of Hartington) reminded the right hon. Gentleman that at an early period of the evening, when something had been said about the taint of bribery in the Bill, he replied that there was another taint from which he was anxious to purge the Bill—namely, the taint of disfranchisement. I do not wonder that the right hon. Gentleman passed by that challenge in silence. It is all very well for the Attorney General to say that this part of the Bill lets alone the Act of 1832, for it does no such thing. It disfranchises a multitude of persons who have votes under that Act. Undoubtedly my hon. Friend (Mr. Colvile) proposes to give votes to some who would not have them under the Act of 1832. This, therefore, is an enfranchising Motion; it is an introduction of proprietary interests upon the register, and the Committee has to make its choice between that enfranchising Motion, and the alternative, not of leaving things as as they are, but of disfranchising a multitude of copyholders who, under the Act of 1832, are at this moment in the possession of the franchise, but whom this Bill as it stands will disfranchise, although it is a Bill which, as the Chancellor of the Exchequer says, is, above all things, to be kept free from the taint of disfranchisement.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 151; Noes 171: Majority 20.

MR. HUSSEY VIVIAN said, that the Reform Act of 1832 conferred upon the owner of long leases a county qualification, provided these leases returned to their owner a clear yearly value of more than £10. There was, however, a qualification attached to that enfranchisement. The 45th section of the Reform Act, however, provided that if the leasehold tenement were situate within a borough, and if the tenement conferred a vote not alone upon the owner, but on any other person whatever, the owner within the borough, if it conferred a borough vote, lost his county qualification in respect of that long lease. Why that proviso was introduced he was unable to understand; but from that time to the present the owner of long leases under these circumstances had been disqualified from voting for counties. A large number of persons, however, had under that qualification obtained votes for counties in respect of premises within boroughs. In many cases it happened that the owners of long leases had upon their tenements houses under £10, which singly conferred no vote for the the borough, but, being in the aggregate of greater value than £10, they conferred a county vote upon the owner of the lease. Under the present Bill the owner of these houses became a borough voter, and therefore it disfranchised a large number of county voters. The Attorney General had stated that no disfranchisement would take place, but under this clause a very large number of voters would be disfranchised. In his county (Glamorganshire) no less than one-sixth of the whole number of county voters would be disfranchised. It must be remembered that this was not an exchange of county for borough votes, but would amount to an absolute and entire disfranchisement. These long leases were the rule in many parts of England, where the properties were so large that hardly anything but leasehold interests existed. In some districts leases for 999 years were the rule; and there was no palpable distinction between such leases, or even leases for 99 years, and a freehold. It was true that if the proviso he proposed was carried, not only would the great injustice of disfranchising a large number of voters be prevented, but those who up to this time, from the working of a very extraordinary proviso in the original Reform Act, were denied the right of voting would acquire that right. But then they would be people possessing a very high kind of qualification, for the premises in respect to which they would have the vote must yield them at least more than £10 a year. His proposal would remove a great anomaly, and place those who would otherwise have been county voters in that position. He denied that it would enable those who were interested in boroughs to swamp the counties. Under the sweeping provisions of that Bill every ratepaying householder within a borough would be enfranchised, and consequently no owner of leasehold property within boroughs could continue to be a county voter. It was said that he proposed to confer a double vote—that was a vote for the county and a vote for the borough—on the same person; but that was not so. If carried, his proposal would simply confer a vote on the owner of a long lease within a borough. True, the owner and the occupier would each have a vote; but at present the owner of a farm had a vote in respect of his freehold, and the tenant of that farm also had a vote in respect of his occupation, if it amounted to £50—a state of things perfectly analagous to that which would exist under his amendment. The injustice to the owners of long leases which he sought to remedy would be aggravated under that Bill if the boundaries of territories were extended into the counties by the projected Boundary Commission. The persons whom that measure as it stood would disfranchise by thousands and tens of thousands were just those whom it was most desirable to enfranchise—namely, steady, saving, industrious men, who had, by their own exertions and virtues, acquired a substantial stake in the country. They comprised the very *elité* of the working classes; and he appealed to the Chancellor of the Exchequer not to disfranchise such a class. If the Government desired to remove from the Bill the taint of disfranchisement they ought not to hesitate to give their assent to his amendment.

Amendment proposed,

At the end of the Clause, to add the words "Provided, That so much of the Act of the second William the Fourth, chapter forty-five, as disqualifies any lessee or assignee of any lands or tenements situated within a City or Borough, who would be otherwise qualified, from voting in the Election of a Member or Members for the County during the time that the same lands or tenements confer a vote for such City or Borough on any other person, shall be and the same is hereby repealed."—(*Mr. Hussey Vivian.*)

THE ATTORNEY GENERAL said, that it was clear that if the House would not repeal the provisions of the Reform Act in favour of copyholders, *à multo fortiori* they would not repeal them for the benefit of leaseholders. The proposal of the Government was in accordance with the principle of the Reform Act, while that of the hon. Gentleman was a departure from it. There would under the Bill be no disfranchisement, because votes for boroughs would be created in the cases in which the county votes were abolished. He had never argued, as the right hon. Gentleman the Member for South Lancashire supposed, that the Reform Bill for the first time gave borough freeholders a right to vote in counties. He knew that that was an old right, and that it was because it was prescriptive that it was preserved. The question was, were they to maintain the distinction between counties and boroughs? In an article, written by Mr. Hare, which appeared in *Fraser's Magazine* in 1860, that Gentleman quoted the following extract from a work of the hon. Member for Westminster:—

> "Let the idea take hold of the more generous and cultivated minds of the country that the most serious danger to the future prospects of mankind is in the unbalanced influence of the commercial spirit. Let the wise and better hearted politicians and public teachers look down upon it as their most pressing duty to protect whatever in the heart of man or in his outward life may form the best check to that exclusive spirit."

MR. BRIGHT: I rise to express my astonishment at the argument of the Attorney General. I cannot believe that this kind of argument would do for him in other places where he is accustomed to speak. He never could have risen to the position he occupies in the Courts of Law if he treated the Judges as he treats the House of Commons. The hon. and learned Gentleman answers the objection as to disfranchisement by the statement that this is a transfer from a county to a borough Member. We are not, however, looking to county Members or borough Members, we are looking to the electors, and my hon. Friend proposes a remedy to prevent many thousands of them from being disfranchised. I ask the hon. and learned Gentleman's attention to this fact: I will take a single borough with which I am acquainted, and mention the figures, to show the error and folly of the idea that, in this matter, there is anything involved that affects the constitution of parties in this House. I take the borough of Rochdale —a very Liberal borough, in which the Tory party have no chance of success. There are 152 leaseholders disfranchised there under this Bill; seventy-three of them are Conservatives; seventy-nine of them are Liberals. There is, therefore, only a difference of six, and that six may be changed very easily. Three may go contrary to the general estimate of their views, and out of the 152 thus disturbed in their enjoyment of the franchise, there is not more than a difference of six between the two parties. In the Salford Hundred there are 13,355 electors, of whom 1,248 will be affected by what we are now discussing. It is thought that a person having property within a borough must be necessarily an unsatisfactory elector for a Tory candidate. That is a mistake; if you exclude from voting in counties the electors whose qualification is derived from boroughs, the difference they would make would be so little as to be of no consequence in this House. If that be so, is it worth while for the House to split straws in this way, and to maintain a distinction which, if we all take a generous view of our countrymen, we ought not to wish to maintain? The hon. and learned Gentleman quoted a paragraph from the works of the hon. Member for Westminster, to which he appeared to attach great importance. Surely, the country is not going to perdition, because you are going to secure the franchise to persons of property—yet the hon. and learned Gentleman quoted that passage as if something terrible would happen if the Amendment were carried into effect. I merely rose, however, to mention an argument which I think conclusive, and that is that in the borough of Rochdale as nearly as possible half of those who are affected are Conservatives and half are Liberals—and, therefore, as a mere matter of party tactics and party supremacy, it is not worth while to make any objection to the Amendment. I shall say no more after the late division, because this Motion may not be carried; but whether it is, or is not, I believe that it would be to the interest of this House to agree to it.

MR. GOLDNEY said, that the hon. Member for Birmingham had misstated the case. The Government did not wish to disfranchise any one, but merely desired to continue the state of circumstances established in 1832 in respect to leaseholders. The argument against the admission of copyholders to the county constituencies, which had been decided by the last division, applied, in his opinion, with tenfold force to the proposition now under consideration.

Mr. ADDERLEY said, that a similar Motion to that now before the Committee had been proposed last year. He proved on that occasion that the proposition would, if carried, have the effect of adding 5,000 votes to the county constituency in the case of Birmingham alone, and that fact the right hon. Gentleman the Member for South Lancashire considered a sufficient reason for dropping the clause.

Mr. GLADSTONE: Sir, the right hon. Gentleman says that the proposition made last year was the same as that made now. In the letter it may have been so, but the circumstances under which it was made are totally different. The disfranchisement of freeholders, copyholders, and lessees affected by the Bill of last year was a small one, while the disfranchisement affected by this Bill will be a very large one. At the time we made our proposition we were all labouring under a gross delusion—we really believed that the right hon. Gentleman the Secretary of State for India and the Chancellor of the Exchequer were opposed to all lowering of the franchise. We were positively under that belief, and under those circumstances the Government were very desirous of narrowing the issues, and, as far as we could, to get rid of all propositions of secondary importance. Consequently, we receded from a proposition which I believe to be one of the soundest in principle, and I would even say one of the most Conservative propositions that it is possible to make. I speak that seriously, and should be glad to hear the reply of any Gentleman who may think it absurd. The Attorney General has laid down a doctrine which is entirely opposed to the principles of the constitution. The hon. and learned Gentleman has stated that the great object to be held in view should be the total separation of the representation of counties and boroughs. But the old basis of the borough franchise is occupation, while that of the country is property; and it was under the Reform Act that you introduced for the first time the right to vote by occupation in the counties. Then it was that you introduced for the first time a morsel of the principle upon which your borough franchise was founded. You are now going down to a £12 occupancy, and before long you may have to go down further. You are multiplying occupation votes in counties, and as you go downwards it is quite plain that you detach the occupation vote from the possession of property. Now, what can be more natural—more legitimate, and, if I am allowed to say so, more Conservative than to seek for the means of multiplying the proprietary interests of the old basis of county occupation? I am very much disappointed at the late judgment of the House; but I hope they will accede to this proposition, because I believe it is one of the soundest in principle which could be offered to the approval of Parliament, and because it is one which will certainly obtain the approval of the country.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 230; Noes 256: Majority 26.

AYES.

Acland, T. D.
Adam, W. P.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Antrobus, E.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Bass, A.
Bass, M. T.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, M.
Blake, J. A.
Bouverie, rt. hon. E. P.
Bright, Sir C. T.
Bright, J.
Bruce, Lord C.
Bryan, G. L.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Castlerosse, Viscount
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hn. W. H. F.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Davey, R.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dillwyn, L. L.
Duff, M. E. G.
Edwards, C.
Edwards, H.
Eliot, Lord
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hon. Lord O. A.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, hon. D. F.
Foster, W. O.
Gavin, Major
Gladstone, rt. hn. W. E.

Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Gray, Sir J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hay, Lord W. M.
Hayter, A. D.
Headlam, rt. hn. T. E.
Henderson, J.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
James, E.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kennedy, T.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Labouchere, H.
Layard, A. H.
Lamont, J.
Lawrence, W.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
M'Laren, D.
Marjoribanks, Sir D. C.
Martin, C. W.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Packe, Colonel
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pollard-Urquhart, W.
Portman, hn. W. H. B.
Potter, E.
Price, R. G.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Pugh, D.
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scholefield, W.
Scott, Sir W.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sykes, Colonel W. H.
Talbot, C. R. M.
Taylor, P. A.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vanderbyl, P.
Verney, Sir H.
Vivian, Capt. hn. J. C. W.
Watkin, E. W.
Western, Sir T. B.
Whatman, J.
White, hon. Capt. C.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Wyvil, M.
Young, R.

TELLERS.

Vivian, H. H.
King, hon. P. J. L.

NOES.

Adderley, rt. hon. C. B.
Akroyd, E.
Annesley, hon. Col. H.
Arkwright, R.
Aytoun, R. S.
Bagge, Sir W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Baring, hon. A. H.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Baxter, W. E.
Beach, Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Beecroft, G. S.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hn. Col. H. B.
Bingham, Lord
Bourne, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brett, W. B.
Brooks, R.
Browne, Lord J. T.
Bruce, C.
Bruen, H.
Buckley, E.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chambers, T.
Chatterton, rt. hn. H. E.
Clive, Capt. hon. G. W.
Cole, hon. H.
Cole, hon. J. L.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Lord
Cox, W. T.
Cranborne, Viscount
Cubitt, G.
Curzon, Viscount
Dalglish, R.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. Adm.
Duncombe, hn. Colonel
Dunkellin, Lord
Dunne, General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finlay, A. S.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Grant, A.
Graves, S. R.
Gray, Lt.-Colonel
Greenall, G.
Greene, E.
Gregory, W. H.
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Earl
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, rt. hn. Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, hon. Col. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.

Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, G. W.
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kendall, N.
Kennard, R. W.
King, J. K.
King, J. G.
Knightley, Sir R.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lanyon, C.
Lascelles, hon. E. W.
Leader, N. P.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, H.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Colonel R. L.
Long, R. P.
Lopes, Sir M.
Lowther, Captain
Lowther, J.
MacEvoy, E.
M'Kenna, J. N.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Meller, Colonel
Mitchell, T. A.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morris, G.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newport, Viscount
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Neill, E.
Packe, C. W.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Parry, T.
Paull, H.
Peel, rt. hon. Gen.
Percy, Mjr.-Gen. Ld. H.
Pim, J.
Powell, F. S.
Read, C. S.
Rearden, D. J.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Stanhope, J. B.
Stanley, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Sturt, H. G.
Sturt, Lt.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Thorold, Sir J. H.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hn. Sir J.
Turner, C.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Walcott, Admiral
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. P.
Wynn, C. W. W.

TELLERS.

Taylor, Colonel T. E.
Noel, hon. G. J.

MR. CARDWELL said, he rose to propose the insertion of a proviso similar to that contained in the Reform Act of 1832, in reference to the city of Oxford and borough of Cambridge.

Amendment proposed,

At the end of the Clause, to add the words "and nothing in this Act contained shall entitle any person to vote in the Election of Members to serve in Parliament for the City of Oxford or Town of Cambridge, in respect of the occupation of any chambers or premises in any of the Colleges or Halls of the Universities of Oxford or Cambridge."—(*Mr. Cardwell.*)

Question proposed, "That those words be there added."

MR. LOWTHER said, that if the Amendment were carried a very large number of the educated classes would be deprived of the suffrage. The Reform Act of 1832 was hardly a precedent, because it merely conferred the franchise on the occupiers of dwelling-houses of the clear annual value of £10, whereas the present Measure enfranchised every householder and a great number of lodgers. With regard to the town of Cambridge, it was certain that the Boundary Commissioners would add the suburbs of Chesterton and Barnwell to the Parliamentary borough, and in that event, if this proposal were adopted, all the better quarters of the town would be totally unrepresented. Perhaps he should be told that members of the University were represented by the members for the University who sat in that House; but if that argument was good, it would also debar members of the Universities from voting at a county election, or at the election for any city or borough in which they resided. A college tutor or bursar who happened to fix his residence in the town of Cambridge ought no more to be deprived of his vote for that borough than any other member of the University ought to be deprived of any vote he might have for the City of Westminster or some distant county. Under the Cambridge Award Act of 1850 the rates of every college were compounded for and were paid by the heads of colleges, instead of being collected from each occupier, and why was this more of a compromise than the Small Tenements Act? The Chancellor of the Exchequer, he was glad to say, had gladly abandoned the compounding Acts, and with what justice could that House abolish the compound-householder in all the boroughs in the kingdom except Oxford and Cambridge? He had always contended that if you proposed to enfranchise, you should admit all classes unreservedly and without distinction. No local vestry Act should be permitted for an instant to stand as a barrier between any portion of our fellow-countrymen and their political rights. The right hon. Gentleman opposite would not, he thought, refuse, on reconsideration of the matter, to place the city of Oxford and the borough of Cambridge on precisely the same footing as every other borough. He trusted therefore that the right hon. Gentleman would not press his Amendment.

Mr. CARDWELL could not at all acknowledge the justice of the argument which the hon. Gentleman had addressed to the House. The Universities of Oxford and Cambridge were represented by the members for those Universities; and the hon. Gentleman would find that, by the Reform Act, it was enacted that the men residing in academical buildings should not, by virtue of that residence, acquire votes for the city of Oxford or the town of Cambridge. It appeared, indeed, from the argument of the hon. Gentleman that the mode in which the rates were collected from the colleges would, according to the arangements of the present Bill, present another difficulty in the way of these gentlemen obtaining votes, because they would not pay their rates personally. This was not the objection upon which the Amendment was founded. By the Saving Clause of the Bill it was provided that in regard to all the franchises the same general regulation should apply in this Bill as applied in the Act of 1832, and the Amendment simply contained the identical words contained in the Reform Act.

Mr. FAWCETT said, he felt it to be his duty to warn the House against the disfranchising proposal of the right hon. Gentleman. He denied that the persons who lived in Cambridge or Oxford were represented by the Members for those Universities; or, at all events, they were represented by the University Members. not as being residents in the town, but as being graduates of the Universities. For instance, if he resided in the extreme parts of Scotland or Cornwall, he should still have a vote for his University. If, however, as was actually the case, he resided, as a fellow of a college, within the borough of Cambridge, paying rent for his rooms, and contributing towards all the rates of the town, and if he were to be disfranchised, as far as the borough of Cambridge was concerned, he was placed in comparison with other voters in a very unfortunate position, because it would be impossible for him to get a borough vote. Because he happened to reside in the University, and took a part in its education, he had been told by a prominent member of the Liberal party that he must not vote except for the University. It was no argument and no consolation to him to be informed that this arrangement was carried out by the Reform Act of 1832. To be candid, he thought that this proposal was favoured in certain quarters, because it was felt that the probable result of its omission from the Bill would be to give more votes to the Conservatives than to the Liberals. But if he thought the effect of this franchise would be to give votes to ten Conservatives for every vote given to a Liberal, he should still be just as much in favour of a college or lodging franchise. Having always been an advocate for the extreme extension of the suffrage, he could not understand why undergraduates above twenty-one, and complying with the conditions on which others had the franchise, should not possess it also. The object of the Bill was to enfranchise as many as possible, and it appeared to him that if the proposal of the right hon. Gentleman should be agreed to, the Committee would sanction a very unfortunate and singularly unjust disfranchisement. He hoped that the Government would not give way on the point; but, if they did, he should divide the House against the Amendment.

Mr. SCHREIBER said, that the right hon. Member for Oxford founded his Motion on the state of things which existed at the time of the Reform Bill of 1832. But things had greatly changed since that time. Then the colleges paid no rates, now they did; then they were extra-parochial, now they were not; then there were no lodgers, now they existed. Coming from a Gentleman who advocated the lodger franchise, this was one of the strangest proposals he had ever listened to, and he hoped that it would not be affirmed.

Mr. NEATE said, that the Members of the Universities were desirous of keeping the two franchises separate. It was, no doubt true that there were some changes; but he reminded the House that there was no individual rating in the colleges, and all that this Amendment proposed was that undergraduates should not acquire a vote by the mere occupation of college rooms. He should give his support to the Amendment.

Mr. HENLEY said, the ground on which the right hon. Gentleman had moved the Amendment was completely cut from under him. The fact of the college paying rates made a great alteration. Rather more than twenty years ago the question of, whether the University was in the city was much debated on the occasion of the erection of a new lunatic asylum, for the cost of which the colleges were assessed. They refused, on the ground that they were not in the city, and on being assessed to the county rate for the same object, they then contended that they were not in the county. Eventually they compromised the matter by paying a lump sum, without prejudice. Since then they had been rated to the poor rate in the city, and had paid it. He did not see why, if any party bore all the burdens incident to the payment of rates, they should not possess the same privilege of voting which other ratepayers possessed. The Amendment would disfranchise Nonconformists and Bachelors of Arts. He should vote against the Amendment.

Sir JOHN SIMEON said, he thought the University and city ought to be kept as distinct as possible. Nor did he think that it would be an advantage to undergraduates studying at the college to have their minds distracted by being thrown into the vortex of political excitement while pursuing their studies. He should therefore support the Amendment.

Sir WILLIAM HEATHCOTE said, he thought that there was not a word to be said in answer to the hon. Member for Brighton, as to the justice and policy of giving to members of the University a vote for the borough in which they resided, entirely irrespective of their University vote. At present the Universities rated themselves, and paid a quota to the city, and the occupiers of rooms individually were not rated. There was no analogy between the city and the University in their being local constituencies. The latter was only local so far as the place was concerned for taking the poll. But if persons living in colleges came under the category of lodgers, he did not see any reason why they should be excluded on the ground of their being members of the University. He was not disposed to act in such a manner as would necessitate the rating of the occupier of chambers in a college; but he did not wish to exclude any member of the University who could sustain a claim as a lodger.

Mr. MONK said, he must vote against the Amendment, as he could not consent to introduce disfranchising clauses into an enfranchising Bill.

Mr. NEATE said, that if the Committee rejected this Amendment very large deputations representing both the Universities, as well as the City of Oxford and town of Cambridge, would wait upon the Government in the course of next week. He protested against the decision at which the Committee seemed about to arrive, and would move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Neate.*)

Sir ROUNDELL PALMER said, he hoped his hon. Friend would not persevere with his Motion. [Mr. Neate: I shall.] He was anxious to impress upon the Committee that they could not do a thing more contrary to sound principles in every point of view, more mischievous to the Universities, or more destructive of the good feeling which ought to prevail between each University and the town, than to adopt this proposition. The Bill of 1832 left the two corporations as it found them, perfectly distinct. The law gave the Universities special privileges for special purposes; and the towns, if their ancient franchises were interfered with, would naturally say, "If members of the Universities seek the rights of citizens, let them become citizens to all intents and purposes." He could not conceive anything more likely to throw the Universities into confusion than this proposal to make them parties to the town elections—anything more likely to revive animosities and conflicts, and even breaches of the peace, which of late years had so happily diminished. If the object were to destroy the harmony that ought to exist, let them accede to the Amendment; if it were to preserve the normal state of feeling that ought to exist, let them adhere to the settlement of 1832 on this point. He hoped the Committee would be favoured with the views of Her Majesty's Government, especially of those Members connected with University representation.

Mr. SELWYN said, he could see no good reason why members of the University should not have votes for the borough as lodgers—nor how the question of rating could possibly affect the new class of voters under the lodger franchise. He did not wish to alter the existing relations between the Universities and the towns, but on what principle could the Committee grant a vote to one lodger in Cambridge, and refuse it to another, living in the same house, and paying an equal amount of rent, merely because he happened to be a member of the University, and the same lodger, if he removed to Portsmouth, would there have a vote, which was denied to him in Cambridge?

MR. CARDWELL said he must express his disappointment at not hearing the sentiments of Her Majesty's Government. To prevent surprise, he took the opportunity of stating before they separated on Friday night that this subject would be considered when they came to the 40th clause, and he had also put down a notice upon the paper. It was easy to allege, as the hon. Member for Brighton had done, that the majority of those who would be kept out by the Amendment would be voters hostile in politics to himself and his hon. Friend; but he begged to declare that he had always received the greatest kindness from residents in the University as well as in the city, and therefore he protested against the supposition that he was actuated by any such narrow consideration. The policy of the State had always been to keep the Universities, representing learning, entirely distinct and separate from the towns, representing trade and professions, and therefore his hon. Friend and himself were bound to raise the question, and to take the opinion of the Committee upon the point.

MR. GATHORNE HARDY said, there was no intention on the part of the Government to alter the arrangement made by the Reform Bill of 1832 in this respect. For himself, he should feel precluded from raising the Question, having been a party to an understanding come to with the right hon. Gentleman opposite, that the Amendment was to be agreed to if the latter part of the clause were left out.

Motion, by leave, *withdrawn.*

MR. CARDWELL: I feel myself placed in a position in which I ought not to be placed. I understood distinctly that this arrangement had the sanction of the Chancellor of the Exchequer.

THE CHANCELLOR OF THE EXCHEQUER: I will not enter into what passed on Friday night upon this point; but I am perfectly ready to say that, having been informed that members of the University to whom this question has been submitted were of opinion that they should accept the former part of the clause to which my right hon. Friend has referred, I said I should be happy to support the right hon. Gentleman if he withdrew the part to which they objected, and I certainly should support him.

MR. DARBY GRIFFITH said, he must protest against so important a question being made the subject of private arrangement between Ministers and ex-Ministers; it was a matter for the House.

MR. FAWCETT, on the same ground, declared his intention of dividing the House.

MR. NEATE said, that with the consent of the House, he would withdraw his Motion that the Chairman do report Progress.

Motion, by leave, *withdrawn.*

Question put, "That those words be there added."

The Committee *divided:*—Ayes 200; Noes 179: Majority 21.

Clause, as amended, *agreed to.*

Clause 41 (Writs, &c., to be made conformable to this Act) *agreed to.*

Clause 42 (Construction of Act.)

THE CHANCELLOR OF THE EXCHEQUER proposed a technical Amendment for the purpose of making the provisions of the Registration Act extend to the clause.

VISCOUNT CRANBORNE said, he thought the Amendment ought to have been submitted to the consideration of the Committee; he therefore moved that progress be reported.

THE CHANCELLOR OF THE EXCHEQUER said, he would not at that hour (twenty minutes to one) resist the Motion.

House *resumed.*

Committee report Progress, to sit again *To-morrow,* at Two of the clock.

ECCLESIASTICAL TITLES AND ROMAN CATHOLIC RELIEF ACTS.

NOMINATION OF COMMITTEE.

Motion made, and Question proposed,

"That Mr. MacEvoy be one of the Members of the Select Committee on the Ecclesiastical Titles and Roman Catholic Relief Acts."

MR. NEWDEGATE, after entering upon a discussion of the relations between the Papacy and the empire of Russia, said, he wished to know the opinion of the Government as to the necessity of appointing this Committee. The Act was one which required a whole Session to pass, and now they were asked to refer it to a Select Committee at half past one o'clock in the morning. The Motion for a Committee was adopted in an empty House. He had looked through the names of the Committee, and, to the best of his belief, there was a dead majority in favour of the repeal of the Ecclesiastical Titles Act. He begged to move that the debate be now adjourned.

Sir GEORGE BOWYER said, that he must beg leave to doubt the accuracy of the hon. Member's statement of the Russian case; but as the Committee was one to inquire into such a subject, and would have no power to repeal the Ecclesiastical Titles Act, he hoped the hon. Member would not obstruct the business of the House by persevering in his Motion for the adjournment of the debate. He would state that there were only two Roman Catholics on the list of Members.

Mr. MONCREIFF said, that as the Act undoubtedly extended to Scotland, it would be only fair that a Scotch Member should be appointed on the Committee. He also thought the question should be dealt with on the responsibility of the Government.

Mr. VERNER complained of the concessions which were constantly being made to Roman Catholics, the result of which, he predicted, would be that Roman Catholic bishops in Ireland would be allowed to take precedence of the Protestant prelates.

Mr. VANCE admitted that the composition of the Committee had been improved, and had himself on that account consented to serve on it; but he thought a further improvement might be made.

Mr. KINNAIRD said, he entirely concurred with the views stated by his right hon. and learned friend the Member for Edinburgh, having the greatest objection to any Committee on this subject which was not presided over by a Member of the Government, and in which there was not included a single Scotch Member.

Mr. MAGUIRE suggested that the Committee should consist of seventeen Members, and that Sir George Bowyer and a Scotch Member should be added.

Mr. MacEVOY trusted the House would proceed to the appointment of the Committee at once, as it had already been postponed several times.

Mr. Newdegate

Motion made, and Question put, "That the Debate be now adjourned." —(*Mr. Newdegate.*)

The House *divided*:—Ayes 17; Noes 25: Majority 8.

Question, "That Mr. MacEvoy be one of the Members of the Select Committee on the Ecclesiastical Titles and Roman Catholic Relief Acts," put, and *agreed to.*

Mr. Walpole, Mr. Gregory, Mr. Howes, Mr. Coleridge, Mr. Attorney General for Ireland, nominated other Members of the said Committee.

Motion made, and Question proposed, "That Mr. M'Kenna be one other Member of the said Committee."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, June 25, 1867.

MINUTES.]—Select Committee—On Railway Companies *appointed.*

Public Bills—*First Reading*—Land Tax Commissioners' Names* (175); Galway Harbour (Composition of Debt)* (176); Charitable Donations and Bequests (Ireland)* (177); Blackwater Bridge* (178); Railway Companies (Scotland)* (179); Merchant Shipping (180).

Second Reading—Consecration of Churchyards (No. 2)* (144); Railway Companies (159), and *referred* to Select Committee; Consecration and Ordination Fees* (148); County Treasurers (Ireland)* (149); Railways (Scotland)* (162); New Parishes and Church Building Acts Amendment* (146); Court of Chancery Officers (154); Bridges (Ireland)* (164); Drainage and Improvement of Lands (Ireland) Supplemental* (165); Brown's Charity (143), *negatived.*

Committee—Recovery of Certain Debts (Scotland)* (66); Naval Stores* (160); Local Government Supplemental (No. 3)* (166).

Report—Recovery of Certain Debts (Scotland)* (181); Naval Stores* (160); Local Government Supplemental (No. 3)* (166).

Third Reading—Chatham and Sheerness Stipendiary Magistrate* (170); Policies of Assurance* (152), and *passed.*

ESTABLISHED CHURCH IN IRELAND.

THE ADDRESS. EXPLANATION.

THE DUKE OF **ARGYLL** said, he desired to ask a question of the noble Earl opposite with reference to the effect of the Motion agreed to last night on the Irish Church. Was it intended that the investigation should be limited to an inquiry as to facts, and that no opinions should be expressed by the Commission? The inference to be drawn from the recorded vote, which stated that information was to be procured as to the nature and amount of the property and revenues of the Established Church in Ireland, with a view to their more productive management, and stopped there, was that the inquiry would be limited to such questions as whether the property had been properly managed; and in that case there would be no inquiry and no report with reference to the facts of the distribution of the property. He desired, therefore, to ask what were the intentions of the Government as to the scope of the Commission they were about to issue.

THE EARL OF **DERBY** said, the noble Duke was no doubt correct as to the terms of the Resolution in the form in which it was passed; but, personally, he (the Earl of Derby) stated that he thought it desirable that the Commission should inquire into the whole state and condition of the Irish Church, including the points to which the noble Duke had referred. He apprehended that the House, by assenting to the Motion for an Address to the Crown in favour of inquiry, did not preclude the Government from making the inquiry more extensive than the Resolution indicated it should be; and he hoped that the Commission would inquire into every particular.

RAILWAY COMPANIES BILL—(No. 159.)

(*The Duke of Richmond.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF **RICHMOND**, in moving that the Bill be now read a second time, said, that the affairs of some of the railway companies in this country were in so notorious a condition, and had been so long before the public, that he would not detain their Lordships by any explanation on that subject. The Government, however, having deemed it necessary to take some steps in consequence, his right hon. Friend (Sir Stafford Northcote) who at that time presided over the Board of Trade. prepared and brought in a Bill in the other House, for the purpose of dealing with the present condition of the railway interests of the country. It was entitled the Companies Arrangements Bill. At the same time, another measure called the Debenture Holders Bill was introduced in the other House by Mr. Watkin, the Member for Stockport. The result was that, after considerable investigation and discussion before a Select Committee, the two Bills were fused, as it were, into one, and the result was the measure to the second reading of which he now had the honour to ask their Lordships to assent. But although there had been considerable discussion on the Bill, there were certain points in it involving such great principles that it was his intention to propose some Amendments, and as they could not be properly dealt with in Committee of the whole House, he should, after the second reading had been passed, move that the Bill be referred to a Select Committee, where the subject might be more fully discussed That a Bill of this kind was required was, he believed, agreed by all parties. It was necessary that opportunities should be given to the companies to extricate themselves from their difficulties, and it was also necessary that the public should not be injured or improperly deprived of the facilities of locomotion. The object of this Bill was to give greater security to railway property and to all classes of shareholders. He could not, however, altogether approve that portion of the Bill which related to the creation of pre-preference stock. Such a proceeding was altogether a new thing in railway legislation, and it required very grave consideration. A general measure like this would, of course, be applicable to all railway companies; but if it contained a proviso for creating pre-preference shares, it would, instead of settling railway property, have a very pernicious effect. If circumstances rendered it desirable for a particular railway company to create pre-preference stock the power to do so ought, in his opinion, to be conferred by a special Act of Parliament, and should not arise out of the powers of a general Act.

Moved, "That the Bill be now read 2ª."—(*The Duke of Richmond.*)

LORD **STANLEY** OF **ALDERLEY** said, that as the Bill was to be referred to a

Select Committee he should not oppose the second reading.

Lord REDESDALE said, that the Bill was one of great importance, and if it had been introduced twenty years ago it might have prevented many of the difficulties into which the railway companies had since been involved. It was very necessary, he thought, that when a railway company got into a state of insolvency, or even into less serious pecuniary difficulties, it should be able to seek the assistance of a Court of Law without being compelled to have recourse to Parliament in each particular instance. There was, however, one portion of the Bill which required careful consideration. The amount of property invested in railway debentures was not less than £100,000,000. Now, he objected to the Bill that it conferred the power of creating pre-preference stock in order that a company might get out of its difficulties. Now, persons who advanced money on debentures did so in the belief that they had a first claim upon the receipts of the company; but if Parliament now stepped in and conferred the power of creating pre-preference stock, he believed that the public would be very unwilling to advance any money upon debentures. It might be very proper that when a company got into pecuniary difficulties the shareholders themselves should have the power of creating preference stock; but it was a very different thing to confer on the company the statutory power of going to a Court and creating pre-preference stock over the debenture holders. The Bill was one that would require the greatest possible attention and considerable alteration by the Select Committee. It was a Measure brought in during a time of difficulty, and he complained that its provisions were of a nature calculated to meet the passing difficulties of the moment rather than to lay the foundation of permanent legislation.

Motion *agreed to:* Bill read 2^a accordingly, and *referred* to a Select Committee.

And, on June 27, the Lords following were named of the Committee:

D. Richmond
D. Devonshire
E. Lucan
E. Romney
L. Redesdale
L. Stanley of Alderley.
L. Overstone
L. Westbury
L. Colonsay
L. Cairns.

And, on June 28, The Duke of Cleveland and The Duke of Montrose *added.*

COURT OF CHANCERY (OFFICERS) BILL.

(*The Lord Chancellor.*)

(NO. 154.) SECOND READING.

Order of the Day for the Second Reading read.

The LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that its provisions had become absolutely necessary in consequence of the great increase of business in chambers that had been thrown on the Equity Judges. When the Masters in Chancery were abolished in 1852, the Master of the Rolls and the three Vice Chancellors were each empowered to appoint a Chief Clerk at a salary of £1,200, to be gradually raised to £1,500; a Junior Clerk at a salary of £250, to be raised after five years to £300. In a short time it was found that a larger staff was required, and by the 18 & 19 *Vict.*, the Equity Judges were empowered to appoint an additional Junior Clerk in each of the chambers. It was also found that useful assistance might be obtained by appointing officers less skilled in the business of chambers; and accordingly Assistant Clerks were appointed, under an Act of 3 & 4 *Vict.*, which enabled the Lord Chancellor, as well as the Master of the Rolls, to appoint clerks and officers to the present or any future officers of the Court of Chancery. Some doubts had arisen respecting the validity of these appointments. Under the Act of 23 & 24 *Vict.*, the Master of the Rolls was empowered to appoint an additional Chief Clerk in Chambers, and the Lord Chancellor was authorized to transfer this Chief Clerk to any other of the Chancery Judges. Shortly after the framing of this Act the Chief Clerk of the Master of the Rolls was transferred to Vice Chancellor Kindersley; and to supply the vacancy the Master of the Rolls, under the authority of 3 & 4 *Vict.*, appointed Mr. Hawkins to be the temporary Chief Clerk, and this appointment was afterwards confirmed by Act of Parliament. But after the appointment of the Chief Clerk the Master of the Rolls also appointed an Assistant Clerk to a Junior Clerk, and some doubt had arisen, in consequence of the resignation of Mr. Hawkins, whether these appointments were still valid. Those appointments were necessary, as would be shown by the Returns presented since November, 1865. It was clear that there should be some means of rendering assistance in the different offices of the Court of Chancery. He believed that a Bill had been introduced in the other House to transfer the business of winding up insolvent railway companies from the Board of Trade to the Court of Chancery. That was an additional reason for these appointments. The present Bill provided for the appointment by the Lord Chancellor and Vice Chancellors of a number of additional Chief Clerks, Junior Clerks, and Assistant Clerks, and confirming appointments already made. It also gave a power to transfer the Clerks of one Judge's chamber to the chamber of another Judge, with the consent of the Judges. It also gave a power to appoint an additional Registrar.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Lord CRANWORTH said, he approved generally of the provision of the Bill, but he would venture to suggest some Amendments in Committee.

Lord ROMILLY said, that no doubt some such provisions as those made in the Bill were necessary; but he doubted whether they were sufficient to satisfy the demands arising from the great accumulation of business created by the winding-up of companies. He thought that some additional powers were required in respect of the winding-up of companies. For instance, the Court had no power of choosing the person who should act as official liquidator of a company, except from the two or three persons put forward by the parties; and in many cases only one person was nominated. It was true, that security was required from these persons; but that was no test of their integrity, because they seldom gave security of their own; it was either made up for them, or obtained from an association, and, having to be paid for, the expense in the end would fall on the estate. He had known instances in which security had been given for only £100,000, when it would afterwards appear that as much as £1,000,000 had passed through the liquidator's hands. He was afraid that very improper arrangements were sometimes made between the parties proposed for liquidators and the petitioners and solicitors—not at all to the advantage of creditors and shareholders. He should suggest that some ten or twelve persons should be nominated official liquidators, and that the Court should select one of these to wind up any particular company. By some such mode a remedy might, he believed, be found for the evil. Some advantage, too, might be found in attaching more responsibility to those engaged in the management of these companies. He had thought it necessary to make these observations because he believed that unless some steps were taken to secure the appointment of men in whose integrity perfect reliance could be placed, the present system would sooner or later be attended by great failure and loss of property.

Lord WESTBURY thought that some of the evils complained of might be met by a direction that the liquidators should pay the monies they received into the Bank of England daily. The whole subject of administration by the Courts of Chancery ought to be carefully inquired into. He thought it was never intended that Chief Clerks should perform judicial duties, but that all questions should be disposed of by the Judges themselves.

Lord ROMILLY said, that his noble and learned Friend was quite in error in supposing that the Chief Clerks performed judicial duties; for their duties were purely ministerial, and that whenever a legal question arose before them it was referred to the Judge sitting in chambers.

Lord CAIRNS said, that no question required more consideration than the arrangements under which the business of the official liquidators was conducted. The sums of money that came into their hands were of startling amount, and the extreme difficulty of providing for the safety of this money must have forced itself on the attention of every one who was acquainted with the present system. He thought that the suggestion of the noble and learned Lord (Lord Westbury), that the sums received by the official liquidators should be paid daily into the Bank of England was to be preferred to the appointment of a select body of persons as official liquidators. In the latter case, if any abuse were to arise, the persons interested might turn round and blame not themselves but the Court that compelled them to choose a liquidator from a certain number of officials. It was hardly possible to have such a select body without the members of it in time becoming possessed with the idea—as in the case of bankruptcy—that they had vested rights, and were entitled to compensation if their offices were abolished. He quite approved of the proposal that any increase in the staff of Clerks should be accompanied by an engagement to reduce them after the present pressure of business in Chancery had been got rid of. The winding-up business had interfered with the regular business of the Courts, and had led to serious public inconvenience. The present staff of the Court of Chancery was amply sufficient to discharge all the ordinary duties of the Court and to prevent any arrears occurring; but at present, notwithstanding that the two appellate Courts had been sitting, there was an arrear of nearly 100 appeals; while there were something like 50 Motions unheard, every one of which was as important as a cause. Such a state of things was productive of the greatest possible inconvenience. All the regular business of the Court of Chancery was interrupted in order that cases arising under the Winding-up Acts, which he admitted were most urgent and important, might be taken. When there were arrears in the appellate business the consequence was a great multiplication of appeals; because many a suitor, who, if he knew his appeal would be heard and determined within a week or two, would never think of appealing at all if he thought it would be delayed for a year, or perhaps two years, would deem it well worth his while to go the expense of the appeal, and to risk the loss of it, merely for the sake of the year or two's delay which it would give him. He trusted that the state of things to which he referred would pass away as the winding-up cases diminished; but he was sorry to say that up to the present time he saw but little prospect of such a diminution. He would ask their Lordships to consider at the proper time the propriety, in any alterations which they might make, of making them in such a form as that the establishment might be reduced in case the business hereafter should be diminished.

The LORD CHANCELLOR said, that some difficulties had occurred with regard to the mode of payment of those who had been engaged to assist in the discharge of the largely increased business of the Court of Chancery. No rule had as yet been decided upon as to how they were to be paid. The question of the appointment and remuneration of the official liquidator was one of immense difficulty. He was unwilling at the present time to discuss the proposition of the noble and learned Lord the Master of the Rolls for the appointment of a staff of liquidators, from which choice could be made when necessary

—not because he was afraid of the responsibility, but because he did not think the plan a good one, for the reasons given by the noble and learned Lord who had just sat down. It was absolutely necessary that the appointments now proposed should be made at once.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

BROWN'S CHARITY BILL—(No. 143.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF MARLBOROUGH, in moving that the Bill be now read the second time, said, that the Government were not responsible for this measure, which had been originally introduced in the other House, and which they merely undertook to introduce on behalf of the Charity Commissioners. The object of the Bill was to alter, in some respects, the nature of a bequest made by Mr. Thomas Brown some years ago for the purpose of founding a Sanitary Institution for animals useful to man. Mr. Brown, who had taken a very great interest in the study of the nature of animals and their protection, had appropriated a considerable sum of money for this purpose, and left it to the University of London, directing that the fund should accumulate for fifteen years and then be applied to the purposes mentioned in his will. If the University of London failed so to apply it within a period of nineteen years from the date of his death, the sum was to lapse to the University of Dublin, and be applied in the foundation of professorships of Sanskrit, Arabic, and other Eastern languages. Practically the mode in which the fund was to be applied was that the University of London should found a Sanitary Institution for Animals — to provide not only for the study of veterinary science, but also for the treatment of animals in a kind of hospital. The Charity Commissioners, in considering the scheme, gave it as their opinion that the mode proposed by the testator in providing such a hospital, would occasion so much expense as practically to limit the useful objects the testator had in view in founding a department of veterinary science, and they proposed that that part of the will should be dispensed with which required a private hospital to be built for the reception and treatment of animals, and that the University of London should be allowed to appropriate the large sum which had accumulated—about £30,000—in the foundation of professorships for the special duty of veterinary science, under the control of the London University. The University of Dublin opposed that plan on the ground that they had a contingent interest in the bequest, and that, if the terms of the will were not strictly complied with, the bequest lapsed to them for the foundation of professorships in the Oriental languages. In reply to that the University of London professed their willingness to carry out the intentions of the testator in the manner laid down in the will, and thus secure their right to the bequest, and shut out the University of Dublin from their contingent interest. The Object of the present Bill was to enable the Charity Commissioners to carry out their plan in preference to that contained in the will. He moved that the Bill be read a second time, and suggested that it be referred to a Select Committee, where both parties might be heard in defence of their interests.

Moved, "That the Bill be now read 2ª."—*The Lord President.*

The Earl of ROSSE said, that the two Universities had but one common object—namely, the advancement of science; but as for the Charity Commissioners, he did not think they had been quite successful in making out their case. The whole thing had been involved in mystery. It was with great difficulty he had been able to ascertain who Mr. Thomas Brown was, and how a gentleman residing in London should have made such a bequest alternatively to the University of Dublin. It turned out, however, that Mr. Brown was a native of Dublin. He came over here, met with a serious accident, was crippled, pined, and died. Just before his death the importance of establishing professorships of the Eastern languages had been much talked of, and hence his desire that they should be founded in the University of Dublin. If these professorships were founded there they would be no sinecures. He had carefully in the will, and could say that there could be no doubt of the intentions of the testator, and that there was nothing unreasonable in them. He contended that if the University of London did not strictly carry out the intention of the testator the fund, beyond all question, belonged to the University of Dublin. He moved that the Bill be read a second time that day six months.

Amendment *moved* to leave out "Now" and insert "this day six months."—(*The Earl of Rosse.*)

The Bishop of DOWN and CONNOR opposed the Bill, which had not a shadow of justice to recommend it. The testator (Mr. Thomas Brown) left a very foolish and eccentric bequest; possibly he foresaw his object would not be carried out, and therefore he introduced a second clause into his will, to the effect that if the London University failed to establish an institution for the care and treatment of animals and birds useful to man, the money should go to the Dublin University for the foundation of professorships of Oriental languages—a very useful object in these days of competitive examination. Surely their Lordships would not sanction an alteration of the testator's bequest in the interest of the University of London, and so prevent the University of Dublin fulfilling the higher object which the testator had indicated? The Charity Commissioners said, and it was not creditable to them, that if Parliament did not santion the modification of the bequest they would adopt a dog-in-the-manger policy and found a dog sanatorium. He felt it to be his duty to oppose such a waste of money.

Earl GRANVILLE approved the suggestion that the facts of the case should be sifted by a Select Committee. He thought the objects of the testator had been very unfairly described by the right rev. Prelate; but he could not agree with the noble Duke (the Duke of Marlborough) in repudiating on behalf of the Government all responsibility in connection with the Bill, for neither Members of the Government nor others had a right to introduce Bills without incurring some responsibility. The Charity Commissioners were instituted for the purpose of dealing with difficult cases of this sort, where it would be beyond the usual power of the Court of Chancery to intervene, and any scheme which they propounded should be listened to attentively and thoroughly sifted by Parliament; and for that reason, and because a prominent Member of the Government was on the Commission, the Government were not to throw aside their responsibility for the measure and almost invite hostility to it. He was bound to admit that the proposal of the noble Duke to refer the Bill to a Select Committee was fair and reasonable, especially considering the pressure to which he had been subjected on behalf of the Dublin University. The bequest had proved a very troublesome one to the London University; and had been before the Court of Chancery, where the University had succeeded in sustaining the will; the law officers of the Crown had also been consulted in the matter, and the London University ultimately found that it could accept the trust. It must be remembered that at the very time we were considering this subject it was declared that veterinary science was not so far advanced as it ought to be. In discussions in Parliament it had been stated how necessary it was to give certain powers to Inspectors, but that the great difficulty was to get qualified veterinary surgeons. The interest of the £30,000 in question would enable the London University to carry out to a limited extent the intentions of the testator; but they thought they could be carried out substantially and in a far more practical manner by the advancement of veterinary science. The London University therefore applied to the Charity Commissioners to be allowed to vary the literal application of the trust money, and the Charity Commissioners were unanimously of opinion that the scheme was a right one, and worthy of being propounded to Parliament. When the noble Lord put it that the alternative was between going contrary to the testator's wish and establishing Sanskrit professorships, he put an alternative which did not exist; for the London University had accepted the limited trust, and the real question was, whether it would not be infinitely more useful to carry out the improved scheme that was recommended than to endeavour to fulfil the literal conditions of the trust. That being the question, the Dublin University had scarcely any *locus standi* in the matter. He implored their Lordships not hastily to reject this Bill, but to adopt the proposal made by the Government, and to refer the Bill to a Select Committee, where counsel on both sides could be heard and the whole facts of the case sifted.

LORD CAIRNS said, the question was not whether Mr. Brown had made the wisest will, nor whether their Lordships could not have made a better. Mr. Brown would, perhaps, have done a wiser thing if he had left his considerable property to Members of his own family; but that was a matter of opinion. The question now was whether the Charity Commissioners had a right to make a new will for the testator. That was the question to be decided before the Bill could be approved. The story was a most curious one. There were no disputed facts to be inquired into. Mr. Brown, by his will, directed that an institution should be established for the reception of quadrupeds and birds useful to man, wherein those that were afflicted with disease might be cured. His family appealed to the Court of Chancery, and said, "Really, this is no charity, and it is a direction so difficult of execution, so vague and indefinite, that it ought not to receive the confirmation of the law as a good and valid charity." But the Court of Chancery decided that it was a perfectly good charity, and could be carried into effect to the letter. Then a difficulty arose in consequence of a clause in the will providing that the money should accumulate for fifteen years, and that if at the expiration of that time the London University, or the governing body of the Senate, declined to accept the trust, or eventually neglected to found and establish such Animals' Sanitary Institution within nineteen years from the date of the testator's death, or if the said University ceased at any time to conduct the institution in accordance with the provisions of the will, then the whole of the testator's property was to go to the Provost, Fellows, and Scholars of the University of Dublin for a certain purpose, which was quite immaterial as far as the present discussion was concerned. It did not matter whether the testator's object was to found Sanskrit professorships or not; all that their lordships had to consider was that this was a gift over. The noble Earl (Earl Granville), however, asserted that the London University might carry out the trust to the letter. Well, if they wished to do so they did not require an Act of Parliament. The testator thought, and very wisely, that the best way to have his wishes accomplished was to say that unless they were complied with to the letter, the property should go over to the University of Dublin at the end of nineteen years; and it was not for the Charity Commissioners, nor even for Parliament, to overrule the decision of the Court of Chancery, make a new will for the testator, and deprive the Dublin University of the contingent interest which it possessed in the property. There must be some difficulty in the way, for otherwise the London University would not have applied to the Charity Commissioners. The University of London had a perfect right to superintend the disposal of the money if they complied with the terms of the trust; but he maintained, however, that if the University of London did not comply with the conditions of the will, the property belonged to the University of Dublin. The new scheme might be a very good one, but it was, at all events, totally different from that of the testator, because it swept entirely away the idea of a sanatorium, and substituted for it the general idea of improving veterinary science. It provided for lectures being given and medals being conferred; but the poor quadrupeds and birds were altogether forgotten. The facts of the case were indisputable; and the question for their Lordships to decide was, whether they should alter a will which had recently been made, and the utility of which had been affirmed by the proper legal tribunal. If this Bill were delegated to a Select Committee without carrying with it the weight of a second reading, their Lordships would be simply delegating the decision of the question which they were now called upon to consider. If the Committee came to the determination that the will should be set aside, that House would feel disposed to canvass that decision on the third reading of the Bill. In conclusion, he expressed a hope that their Lordships would not take the violent step of setting aside the will of the testator.

LORD TALBOT DE MALAHIDE said, he believed the noble and learned Lord who had just spoken (Lord Cairns) had expressed the opinions generally entertained in that House. The noble and learned Lord, however, did not deny that the scheme was a good one; but on this point he (Lord Talbot de Malahide) joined issue with the promoters of the Bill. He had the greatest possible respect for the opinion of the late President of the Council, but he did not think his noble Friend had given such a full consideration to the details of the scheme as to justify him in saying that if it were carried out it would be a great public advantage. He would merely suggest that, if their Lordships desired to form a correct opinion respecting the merits of this scheme for veterinary education, they ought to consider whether a system of medical education, carried on without hospitals, without dissections, and without clinical practice, could possibly be of any great value.

THE EARL OF POWIS remarked that the question really at issue was that of a disputed legacy. Such a question ought not to have been decided by the Charity Commissioners; it ought to be decided judicially by the Court of Chancery. If that House passed the second reading of the Bill, there was no reason why it should not legislate in regard to any other disputed will.

EARL RUSSELL said, that in many instances applications had been made to Parliament, and power had been given to alter the disposition of property under wills in the case of charitable corporations so long as the general scope and intention of the testator were preserved. Dulwich College was a case in point. In various other cases changes had been made, in some for the promotion of medical science, in others for the advancement of education, and in others again for the more efficient distribution of money left for charitable purposes. Schemes had often been submitted to the Court of Chancery under the authority of Acts of Parliament for the purpose of placing various charities in a position more in accordance with modern usages than they could be under the strict letter of the will. Disputes also had arisen as to the application of the funds; but in a great many cases the result was that they were carried on so long as to completely impoverish the charity, and therefore he always deprecated bringing forward new schemes where they were strenuously opposed, and where the opponents were the authorities connected with parishes who showed a disposition to fight as to the amount which should be appropriated to each to the last moment. So far as he could ascertain the merits of the case in the present instance, he thought it would be advisable that the Bill should be read a second time, and the whole subject referred to a Select Committee.

LORD LYTTELTON agreed with the noble and learned Lord (Lord Cairns) that there was no question in dispute arising on the will of the testator.

On Question, That ("now") stand Part of the Motion? their Lordships *divided:*—Contents 16; Not-Contents 48: Majority 32.

CONTENTS.

Marlborough, D.

Normanby, M.

Airlie, E.
De Grey, E.
Granville, E.
Kimberley, E.
Portsmouth, E.
Russell, E.

Halifax, V.
Hardinge, V. [*Teller.*]
Sydney, V.

Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Cranworth, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Stanley of Alderley, L.

NOT-CONTENTS.

Beaufort, D.
Buckingham and Chandos, D.
Cleveland, D.

Abercorn, M.
Bath, M. [*Teller.*]
Exeter, M.

Amherst, E.
Bandon, E.
Belmore, E.
Bradford, E.
Brownlow, E.
Cadogan, E.
Camperdown, E.
Cowper, E.
Dartrey, E.
Ellenborough, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Haddington, E.
Harrowby, E.
Lichfield, E.
Malmesbury, E.
Morley, E.
Powis, E.
Romney, E.
Rosse, E.

Stradbroke, E.
Tankerville, E.

De Vesci, V.
Hawarden, V.

Down, &c., Bp.

Bagot, L.
Bolton, L.
Cairns, L.
Clonbrock, L.
Colville of Culross, L.
Denman, L.
Foley, L.
Foxford, L. (*E. Limerick.*)
Lyttelton, L.
Raglan, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Silchester, L. (*E. Longford.*)
Skelmersdale, L.
Somerhill, L. (*M. Clanricarde.*) [*Teller.*]
Talbot de Malahide, L.
Tredegar, L.

Resolved in the *Negative;* and Bill to be read 2^{a} on *this Day Six Months.*

POLICE BARRACKS IN IRELAND.

QUESTION.

THE EARL OF BESSBOROUGH said, he had a Question to put to the Government of some importance. He wished to know, Whether Her Majesty's Government have decided upon the measures they will adopt for rendering more defensible the Police Barracks in Ireland? The subject had attracted considerable attention at the time of the Fenian insurrection. It then became notorious that the police barracks throughout the country were almost defenceless. In consequence it had been generally understood that the Government intended to lose no time in putting the barracks into a proper condition for defence. Up to the present time, however, no steps had been taken in that direction. Very few noble Lords, except those who had taken more than a common interest in the question, were aware in what a miserable condition, as regarded defence, the police barracks in Ireland really were. The consequence was that in times when there was an apprehension of a disturbance of the public peace, it was thought necessary to call in all the police from the out stations into the towns or villages where they could find protection. He quite admitted the necessity of that precaution; but a most unfortunate effect was produced, because it not only caused panic throughout the rural districts at the very time when it was important that the authorities should inspire confidence in the law, but it deprived the people of those districts of that protection to which they were entitled. He was quite aware that considerable delay was necessary in dealing with a question of this kind, and no doubt Her Majesty's Government had exercised a wise discretion in refraining from asking Parliament for a Vote for this purpose until it was found to be absolutely necessary; but he thought that if the Government went fairly into the question many of the difficulties by which it was surrounded would vanish, and they would find that in the majority of cases they might by comparatively minor alterations, involving but a small cost, put the greater number of the police barracks in Ireland into a good state of defence. He thought that if the Government would put themselves into communication with the owners of the police barracks, they would be willing — some for a slight increase of rent, others without asking for any increase—to put the barracks into a tolerable condition for defence. In the case of owners who were unable or unwilling to incur this expense, it would be necessary that some small demand should be made upon the public purse, and it was the duty of the Government, under the circumstances, to ask for it. He scarcely thought that if the case was fairly put to the House of Commons, and the necessity for the outlay proved, as it would undoubtedly be, that that House would be unwilling to grant a few thousand pounds to carry into effect improvements so desirable for the welfare of the country. It was not his province to give any advice to the Government as to how they should set about this work; but as he was in Ireland at the time of the outbreak, and knew the great interest taken in this question by all classes of loyal subjects, and by no class more than by the constabulary themselves, he thought it his duty to bring the subject before the House, and to ask Her Majesty's Government what their intentions were, or whether they had made up their minds upon the question.

The Earl of BELMORE said, he quite admitted that at the present time the police barracks in Ireland were in a most indefensible condition. His own attention had been called to one case where there were not even shutters to the windows; so that if any person from the outside had wished to fire upon the inmates, there was nothing to prevent his doing so, and the barracks had been for some time in use before any steps were taken to remedy this defect. This question, as the noble Earl was aware, had been for some time under consideration, and his noble Friend the Chief Secretary for Ireland had informed him that the instructions already issued had been withdrawn, and that to-morrow fresh instructions would be issued to the different county inspectors, directing them to consult with the proprietors of the different barracks as to the best means of putting these into a proper state of defence. On the receipt of that information no doubt immediate and active steps would be taken, and he trusted that the proprietors would be found willing to meet the efforts of the Government in that direction. At the same time, speaking not as a Member of the Government, but as a landed proprietor, he must remind the noble Earl that it was very hard upon the proprietors of those barracks to be called upon to spend money upon them considering the very low rate of remuneration which they received. Frequently in country places there were only six or seven of the constabulary located in the barracks, and in such cases the proprietor did not receive more than £10 or £12 a year, and could therefore hardly be expected to incur any very great expense in order to put the barracks in a state of defence.

The Earl of BESSBOROUGH said, he was convinced that the owners of the barracks would do all they could to assist the Government in this respect; but the fact was that being mostly small shopkeepers or publicans they had not the £40 or £50 which was required for this object. He therefore trusted that Her Majesty's Government would think it to be their duty to ask Parliament for a grant.

ESTABLISHED CHURCH IN IRELAND. THE ADDRESS.—PERSONAL EXPLANATION.

Earl RUSSELL: My Lords, I wish to call attention to a statement made by the noble and learned Lord (Lord Cairns) yesterday, which I told him I should question in the House to-day. The noble and learned Lord said that in a work which I published many years ago I made a statement as to the condition of the Irish Church which might be applicable to those times; and that I had re-published this statement in 1864 without stating in any way, either at the beginning of the volume or in any other part, or even in a note, that this state of things had changed. I felt convinced at the time that such a change had been made. I have since referred to the volume to see if I was right, and I find in it this statement of what took place in 1833:—

> "Another task of equal urgency was to restore tranquillity to Ireland, and suppress the agrarian disturbers of that part of the kingdom. In the year 1833 a severe but temporary measure was passed for that purpose. At the same time, the Irish Church was reformed, the number of bishops reduced, and the Establishment rendered more efficient."—P. lvii.

STANDING ORDERS.

Message from the Commons to acquaint this House, That they have appointed a Select Committee of Five Members to join with the Select Committee appointed by this House, as mentioned in the Message of Friday last, to consider the Act 9th and 10th Vict. Cap. 20. and the Standing Orders of both Houses in relation to Parliamentary Deposits and for securing the Completion of Railways within a prescribed Time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session.

RAILWAY COMPANIES (SCOTLAND) BILL [H.L.]

A Bill to amend the Law relating to Railway Companies in Scotland—Was *presented* by The Duke of Richmond; read 1^a. (No. 179.)

MERCHANT SHIPPING BILL [H.L.]

A Bill to amend the Merchant Shipping Act, 1854—Was *presented* by The Duke of Richmond; read 1^a. (No. 180.)

House adjourned at Eight o'clock,
to Thursday next, half
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 25, 1867.

MINUTES.]—SELECT COMMITTEE—On House of Commons (Arrangements) *appointed;* Paris Exhibition, Mr. Edmund Potter *added.*

PUBLIC BILLS — *Ordered* —Annuity Tax Edinburgh.*

Second Reading — Investment of Trust Funds [197].

Report of Select Committee—Tancred's Charities [No. 396].

Committee — Libel (*re-comm.*) [112]; Attorneys, &c. Certificate Duty [53]; Railways (Guards' and Passengers' Communication) [39]; Church Rates Abolition * [13]; Mines, &c. Assessment * (*re-comm.*) [174] [R.P.].

Report — Tancred's Charities * [207]; Libel (*re-comm.*) [208]; Attorneys, &c. Certificate Duty [53]; Railways (Guards' and Passengers' Communication) [39]; Church Rates Abolition * [13].

Third Reading—Linen and other Manufactures (Ireland) * [183], and *passed.*

THE NEW LAW COURTS.—QUESTION.

MR. BENTINCK said, he wished to ask the Secretary to the Treasury a Question of which he had not given him notice with reference to the New Law Courts. Two Reports had been made on the designs sent in by the architects—one by the professional gentlemen appointed as judges, and the other by certain Members of the Commission. He understood that those Reports were conflicting, one naming one architect as having produced the most successful design, and the other naming another. Seeing that the Session was very far advanced, and this being a matter of great importance involving a large expenditure of money, he wished to ask the Secretary to the Treasury, Whether he will, without delay, place those Reports upon the table of the House?

MR. HUNT said, in reply, that these Reports were addressed to the Commissioners, who were Royal Commissioners, and he did not know, therefore, whether the Reports could now be laid upon the table. He would, however, make inquiry and be prepared to answer the Question if proper notice was given of it.

ECCLESIASTICAL TITLES ACT REPEAL.

QUESTION.

MR. NEWDEGATE said, the Order for the Second Reading of the Bill for the Repeal of the Ecclesiastical Titles Act stood for the evening sitting, but there had been an understanding that there would be a Committee upon the Act, and that this Bill for the repeal of the Act would not be proceeded with. Under these circumstances he wished to ask Mr. Chancellor of the Exchequer, If he knew what were the intentions of the hon. Member for Meath (Mr. MacEvoy) as to proceeding with the second reading of the Bill, and what were the intentions of Her Majesty's Government with respect to it, if it were proceeded with?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had not been aware of the Order for that night, and he had had no communication with the hon. Member for Meath. On the part of the Government he had assented to a Committee upon the Ecclesiastical Titles Act, but that was upon the clear understanding that the Bill introduced for its repeal should not be proceeded with. If the Bill were proceeded with it would entirely change the state of affairs.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 24.]

Bill *considered* in Committee.

(In the Committee.)

Clause 42 (Construction of Act).

THE CHANCELLOR OF THE EXCHEQUER proposed to add the following words at the end of the clause:—

> "And with the Registration Acts; and in construing the provisions of the 24th and 25th sections of the Act 2 *Will.* IV. *c.* 45, the expressions 'the provisions hereinafter contained' and 'as aforesaid,' shall be deemed to refer to the provisions of this Act conferring rights to vote as well as to the provisions of the said Act."

MR. DARBY GRIFFITH said, the Committee ought to have some explanation of those words.

THE CHANCELLOR OF THE EXCHEQUER said, they were very simple. The object of the 24th and 25th sections of the Act in question was to prevent any person from voting for a county in respect of a freehold house occupied by himself which would confer a vote for the borough, and to prevent a person from voting in a county in respect of certain copyholds and leaseholds in a borough under the same circumstances. The House was unanimously of opinion that a person so situated should not vote in a county, and the object of the addition of those words to the clause was to carry out that view.

SIR ROUNDELL PALMER said, the question was one which the Committee had decided, and they could not propose to renew that discussion.

Words *added.*

Clause, as amended, *agreed to.*

Clause 43 (Interpretation of terms).

SIR ROUNDELL PALMER moved, after line 7, page 14, to add—

> "'Dwelling house' shall include any building, or part of a building, occupied as a dwelling, and separately rated to the relief of the poor; 'lodgings' shall mean any part of a house or building occupied by any person dwelling therein, and not separately rated to the relief of the poor."

The Committee would recollect that they had given a vote to every occupier of a dwelling-house, and had said that in all such cases the occupier, not the owner, was to be rated in respect of it. The words were "dwelling-house or other tenement," recognizing what he believed was the general sense of the Committee, that it was intended to include under the term "dwelling-house" everything which was substantially a dwelling-house, although it might only be a part of a single building, as in the case of flats, chambers in the Inns of Court and in Victoria Street, and flats as they existed in Sunderland, Newcastle, and the North of England as well as in Scotland. It would be impossible to undertake the task of defining with any satisfactory result what should constitute a flat, with reference to a separate door or staircase. They must therefore enact that the occupation of less than the entire house,, if the occupier were separately rated, should entitle a man to the franchise. He could not, of course, pretend to define under what circumstances the overseers should rate persons separately. That was a point as to which persons must be left to their remedies. But it was right that words should be introduced showing that where any inhabited portion of a building was separately rated it should be treated for the purposes of the franchise as a dwelling-house.

MR. SERJEANT KINGLAKE said, this was a more serious question than the House is aware of. He thought it unadvisable to insert in the interpretation clause a definition of the words "dwelling-house." A judgment of the Court of Common Pleas, when Sir William Erle was Chief Justice, accurately defines what is a dwelling-house under the meaning of the Reform Act. The judgment, which had reference to the distinction between a dwelling-house and part of a house, determined that part of a house may give the franchise provided it is occupied as an independent occupation and there is a complete severance between it and the remainder of the house, even though the landlord resides there. The result of that decision is that every man who inhabits a flat, chambers in the Inns of Court, and—where a house is divided into several floors, if each of those floors has a separate entrance from a common passage leading from a common staircase, with a common outer door—each person who occupies one of these floors as a separate house, is entitled to a vote. The difference between this decision and the proposal of the hon. and learned Member for Richmond was this, that according to the latter any person who occupied and resided in premises, being part of a building, whether separated or not from the rest of the building, would, if rated, be entitled to a vote as the occupier of a dwelling-house. He did not say that such a person ought not to be entitled, but what he did say was that if the hon. and learned Gentleman's proposal were adopted it would make a great addition to what was meant as a dwelling-house. Now, as a clear definition of what was meant by a dwelling-house had been given by the Court of Common Pleas, what more did they want? If they were to introduce a definition of a dwelling-house into the Bill, the effect of it would be to put revising barristers at sea upon that subject.

MR. LIDDELL reminded the Committee that the judgment of the Court of Common Pleas to which the hon. and learned Serjeant had directed their attention had been delivered under totally different circumstances from those which would arise under the present Bill. At that time the owner, and not the occupier, was in the great majority of instances liable for the payment of the rates; but by the measure now before the Committee the occupier himself should take upon himself that liability if he desired to acquire the franchise. The measure, as it stood, would thus exclude a large number of persons who were perfectly qualified to return Members to that House, and in order to obviate that grievance a provision like that proposed by the hon. and learned Gentleman was necessary, and he should therefore support it.

Mr. INGHAM also supported the Motion of the hon. and learned Member for Richmond.

Mr. HEADLAM remarked that in Newcastle-on-Tyne many old-fashioned houses formerly inhabited by the well-to-do classes were now occupied in flats by labouring people, the outer door not being in the possession of any one person. It was to be regretted that so many persons lived in houses of this description, but it was attributable to the difficulty of finding better accommodation. According to the decision of the Court of Common Pleas these persons would not have votes, which he thought they were clearly entitled to if they were separately rated.

Mr. LOCKE KING said, that the hon. and learned Serjeant had given them the present legal interpretation of the word "dwelling-house," but that was, he understood, very different from the interpretation which had formerly been adopted. There seemed no reason, therefore, why that interpretation itself might not be again altered, and he thought they ought now to give a clear definition of the meaning the word was intended to convey.

Mr. GLADSTONE: I agree with my hon. Friend who has just resumed his seat that it would be very desirable to give a definition of the word "dwelling-house." I understood that Her Majesty's Government, in the person of the Attorney General, undertook to see what could be done in the way of defining it. As no clause has proceeded from the consideration which they have given to the subject, I have come to the conclusion—and I am not at all surprised at it—that they have found difficulties in their way so great that they have not been able to submit to the Committee, with satisfaction to themselves, any distinct definition in terms of a "dwelling-house." I hope, therefore, that the proposal of my hon. and learned Friend the Member for Richmond is not at all in conflict with what has been stated by my hon. Friend (Mr. Locke King), because, although my hon. and learned Friend does not directly and in terms define a dwelling—that is to say, by reference to its conformation and its access—yet indirectly he gives a perfect, absolute, and simple definition of a dwelling-house—namely, a tenement which, even if it be not a separate house, is subject to a separate rating; and that appears to me to be a reasonable proposal. I think it is a great mistake to set up judicial construction against legislative discretion in cases of this description. The business of a Judge is not to find the best possible definition, but to construe the existing law, whatever it may be; while the business of the legistator is to determine, not upon considerations of interpretation, but upon considerations of policy, what is the best course to be taken. Let me now observe that this question is essentially shifted by the introduction of the lodger franchise. We have to draw a line which will separate the lodger from the householder. Last year we had to consider this question, and to encounter the same difficulties which I imagine the Government have now to encounter. We did not then find it possible to arrive at any satisfactory definition of the word "dwelling-house," in direct terms; and consequently we were driven to the necessity of adopting the proposal which is now revived in substance by my hon. and learned Friend—namely, that that which the parish finds it convenient on the whole to subject to separate rating, shall be for the purposes of this law a dwelling-house. Let us look at the advantages which this proposal presents. In the first place, it is eminently agreeable to that which the House has adopted as the principle of the Bill—namely, personal rating. Here are a class of persons every one of whom, by the force of the terms used, must be permanently rated, and must be under exactly the same obligations with respect to their personal rates, whether they have apartments to which there is a separate and independent access, or whether they are dependent upon a common access. But what has a common access to do with the respectability or responsibility of the party? Nothing whatever: and if the principle of the Bill be the principle of personal rating—that every man who is to enjoy the franchise as a householder is to do so because he is the direct object of the local tax, and because he is under an absolute legal liability to pay that tax personally — I want to know what conceivable reason there can be in the fact that he has an outer access to his house which is common to him with many other persons, for excluding him from a privilege which does not depend upon any consideration connected with the structure and conformation of the dwelling? If we decline to give the franchise in such a case, we depart from the principle of the Bill, and mar its application. But how will this Amendment work? It will work, I believe, with the greatest possible simplicity. There are two modes of proceeding proposed. One is that we should indicate separate rating as the test of the householding character; the next is that we should lay down as the test certain conditions connected with the structure of the house. If you adopt the proposal of my hon. and learned Friend you have, when you come before the revising barrister, nothing to do, to ascertain whether a man is qualified to register as a householder, but to turn to the rate book; but if, on the other hand, you adopt the principle that the appearance of his name on the rate book is not sufficient, you are driven to the alternative of compelling him to call witnesses and to produce evidence to satisfy the revising barrister, and probably to produce plans and drawings to show that there exists a separate access to the premises in respect of which the franchise is claimed. This question is, in point of fact, the very same question over again which was originally agitated as to clear annual value. In the case of a reference to the rate book we shall escape all these difficulties. The Government process of deciding what is to be considered a dwelling-house will be cumbrous and expensive, whereas the definition offered by my hon. and learned Friend the Member for Richmond is simple and effective. If we adopt the principle of separate access, and that is to be fatal to the right of enjoying household suffrage so called, every man will be thrown back upon the lodger franchise, and then we ought to inquire what is a separate access. Some Members of this House have no separate access to their chambers, and the houses in Victoria Street have no separate access. Most of the chambers in the Inns of Court have, and they are separately rated; but they have a common staircase; and I contend that a common staircase ought to have no bearing upon this question. I understand all the anxiety manifested by the Committee is to find a definition of a "dwelling-house" which shall not cut out persons subject to the condition of a common access, but those persons who live in miserable hovels which are not fit to be called dwelling-houses. I understand that in the case of the northern towns there are buildings in which a great many of the labouring classes are accommodated in apartments one over the other, and notwithstanding they are separately rated. Now, there will be a great advantage in having a natural, self-adjusting, and spontaneous working machinery, and the parish will rate people according to the mode most convenient for rating purposes; and we should follow that principle which has in itself a spontaneous action rather than a definition of an artificial and conventional character. Much has been said of the incongruity and impropriety of disfranchising proposals coming from the Liberal side of the House. But, at any rate, this proposal is not one of this description, for it is one of an enfranchising character. There is this important difference between a householder and a lodger. A householder is registered by a public officer, and a lodger will have to make out his claim and prove his title to vote; and the practical operation of the clause will be that scarcely one out of two or three will obtain the franchise as compared with the householders. Therefore, because of the simplicity of this definition, of the enfranchising tendency, of the practical results, and of the legal principle involved, I hold that this proposal is a good proposal, and as there is no other in a distinct shape before the Committee, and as I believe no other proposal of an effective kind can be produced, I think this one fully deserves the approval of the Committee.

MR. NEATE said, he thought it unfortunate that the question should be mixed up with the previous question of "What is a dwelling-house?" He wished to ask the hon. and learned Gentleman opposite upon what the right of rating was to depend? Was it upon the discretion of the overseer? Had the owner of a house the right to claim to be rated for the purpose of registration, and ought he to have that right, even though the tenement he occupied might not be worth 10*s.* or 20*s.* a year? If a man had a right to be rated without reference to the nature of his tenement, the Parliamentary franchise would be very much lower than the municipal. He wished to protect the public against the influx of the lower class of voters, who he was afraid would obtain admission in large numbers.

MR. WATKIN said, the addition to the clause proposed by the hon. and learned Member for Richmond was in opposition to, and would come into conflict with, the lodger clause which had been already passed by the Committee. That clause required that lodgings should be part of the same dwelling-house, whereas the clause now proposed said that the tenement should be part of a house or dwelling-house. He quite agreed with the hon. and learned Member for Oxford (Mr. Neate) that they should be informed whether under this Bill the occupier of a hovel was to become one of the future legislators for this Empire. In former discussions they had had a promise from the Government of a definition of what a dwelling-house was to be considered. As this had not yet been fulfilled, he would suggest that the hon. and learned Member for Richmond should, in his Amendment, insert after the word "building" the words "fit for human habitation." That would deal with the question, which the House must admit to be of great importance. The effect of the clause would be to give dwellings notoriously unfit for human habitation additional value from the occupier having a vote.

VISCOUNT CRANBORNE said, the difficulty in the way of the hon. Gentleman's suggestion was, that anything actually inhabited by a human being would probably be determined by a Court of Law to be fit for human habitation, because if not fit it would not be inhabited. But the hon. Gentleman would find his remedy in the principle of the Bill, which was, that those who lived in hovels should be put in the position of holding political power. However, he was not one of those who approved of that principle, and if the hon. Gentleman could discover any means of excluding the hovel population, he should be very glad to give his assistance. He wished to call the attention of the hon. and learned Member for Richmond to the result of his definition of the word lodging. As now defined, in connection with the lodger clause, it appeared to him that any man who was sentenced to twelve months' imprisonment would have a vote under this Bill. [*Laughter.*] He was sorry that his suggestion should be received with ridicule; but he was afraid it was an actual fact. The definition included any part of a house occupied by a person dwelling there. The prisoner occupied a part of the House in which he dwelt, and was certainly not rated to the poor. There was not a word as to the occupier paying rent, but only as to the clear annual value of the tenement. It would be dangerous to leave the definition wholly to the discretion of the Courts of Law.

THE SOLICITOR GENERAL said, it had been thought wiser to leave the existing decisions, as to what was a dwelling-house, to stand, instead of adopting legislation which was likely to conflict with them. The proposition of the hon. and learned Member for Richmond had the merit of simplicity; but the question was whether that was a sufficient reason to induce them to adopt his definition. At present it rested very much with the overseers whether they would rate particular persons occupying particular rooms; and if this definition were adopted, this consequence would arise—that rooms which an overseer was induced to rate separately in one year would constitute a dwelling-house in that year, and that they would cease to do so next year, because the overseer might then refuse to rate them separately. As to a hovel not being a dwelling-house, they must first define what was a hovel. As long as they had the definition given of a dwelling-house under the Reform Act by the Courts of Law, after a vast amount of consideration, as stated by the hon. and learned Member for Rochester, was it not better to leave that definition to stand, rather than to say that any person who had a single room in a house opening on a common staircase, or even over a stable, provided only the overseer rated him separately, was the occupier of a dwelling-house within the meaning of that Bill?

MR. GOSCHEN asked, if it was so clear what the Courts of Law had done in defining what a "dwelling-house" was, why the Government had not adopted and incorporated it with this Bill? If the proposal were not incorporated in the Bill, a large class of persons inhabiting tenements of a certain sort would be left in doubt whether they were inhabiting houses or not. The Government had undertaken to give a clear definition of the term, and they had failed. It would be very unsatisfactory to leave the matter to the Courts of Law. He wished to ask the Solicitor General whether the persons inhabiting the large blocks of buildings known as Alderman Waterlow's, and others of the same sort, were to be held inhabitant householders or lodgers.

MR. CANDLISH said, he thought it obvious that by the Bill of the Government, as it now stood, the occupant of a single room on a staircase or over a stable would have a vote, and the objection taken to the proposal of the hon. and learned Member for Richmond applied equally to that of the Government. He thought that if the decisions of the Courts of Law were opposed to the principles of this Bill, and were not in accordance with what the Committee intended, then the Committee should take the matter into their own hands, and not leave it to the presiding judge of any court to make the law. There were thousands of dwelling-houses in this country which would be excluded if the language of the clause was left unaltered, though the occupants of them possessed every moral and social qualification for the exercise of the franchise. He took it that the object of the Government was to enfranchise every *bonâ fide* occupier of a house paying rates. In his own borough persons rated for rooms would not be enfranchised by the Bill of the Government without adopting the Amendment proposed, There were several houses in Sunderland all entered by a common street door. If the houses were dilapidated, or the street doors had fallen off their hinges, the inhabitants of these houses would have votes; but if there were locks to the street doors they would have no votes. He asked would the Chancellor of the Exchequer be content to take the law from the judges on this particular point, when he had the opportunity of correcting one of the most strange anomalies that ever existed. Men paying £8 or £9 a year rent would have no votes; while persons living in houses falling into decay without street doors, and who only paid 9*d.* or 1*s.* a week rent could have a vote because the winds of heaven could blow into their dwellings unobstructed by any street door. He trusted the Government would reconsider their decision, and assured them that they would be acting most unequally if they did not agree to the Amendment.

SIR WILLIAM HEATHCOTE admitted that it was necessary to have a definition of a dwelling-house, and he regretted that the learned Gentlemen employed by the Government had not prepared such a definition. He doubted, however, whether the definition of the hon. and learned Member for Richmond (Sir Roundell Palmer), simple as it was, would not leave matters worse than they were. The Amendment would get rid of a great deal of litigation before the revising barrister; but, in the case of a hostile claimant appearing before the parish officer, there was nothing to prevent the latter saying that the former did not occupy a dwelling-house, and that, therefore, he would not put him on the rate book. The matter ought not to be left in doubt, for any person to fish up antagonistic judgments by the Courts of Law, but there ought to be a clear definition of the meaning of a dwelling-house.

MR. BRIGHT: I think if any Gentleman had received any communication from registration agents during the discussion of this Bill, he would be asked if it be possible to remove from this great question some of those apparently small matters that create great litigation and difficulty in connection with the registration action under the Reform Act. I have received such a letter from the registration agent in the town in which I live, and if the Committee could settle the question it would be of great advantage. At present the question is very much unsettled. The revising barristers are continually giving different decisions on the point; and it would be a great advantage to adopt the plan now proposed by the hon. and learned Member for Richmond, even if it could be shown, which it cannot, that it is not the best plan of all that can be brought forward. Even though it should not be the best plan of all, I think it would be of great advantage to accept it rather than adopt no plan at all. The Solicitor General is afraid that if the Amendment were adopted, the overseer would rate persons out of favour not entitled to have a vote. That is a mistake. The overseer wants to have as few persons rated as possible. If he rates them, it will give him more trouble in preparing his books and in collecting the rates: and the interest of the overseer always will be to have as few persons on the rate book as possible; so that on that ground there is no real objection to the Amendment. As to the whole matter, it is not probably of great consequence whether a few persons should get on or be kept off, that the law did not intend; considering the great number of electors to be got under the Bill, half a dozen votes will be of little consequence in future compared with past times. This question will not be contested so furiously as in past times, and this House may proceed at once to define what a dwelling-house means. I think if you say any building or part of a building in which a family lives, that is rated to the poor, shall be called a dwelling-house, you put into the hands of the parish authorities a mode of conducting its affairs, and of deciding how far the suffrage will go. You will thus have a definition that will put an end to litigation, and be founded on a safe principle. If the authorities of a parish shall decide that a set of rooms shall be rated as a dwelling-house, I would advise the House of Commons to give the occupier a vote without further contest. Then comes the question which the noble Lord (Viscount Cranborne) misunderstood. The lodger question is settled; for it is not connected with the question of rating, and the lodger has only to prove that he has lived in his lodgings for a certain time, and that the room he occupies is of the clear yearly value of £10. The noble Lord need not be afraid that any person in a penitentiary will take the trouble to prove his right to a vote, and even if he did, he would not be let out to prove it. I believe it will be gratifying to persons connected with the registration if you settle the question on the principle laid down by the hon. and learned Member for Richmond.

Mr. DENMAN understood some time ago that the Law Officers of the Crown had undertaken to draw up a definition of a dwelling-house. That would be a difficult task; but the present Amendment did not propose such a definition. There was considerable difficulty in the present law; and, on the whole, he thought the Committee could not do better than adopt the principle laid down by his hon. and learned Friend (Sir Roundell Palmer), that for the purposes of the franchise a dwelling house should include the case of part of a house, provided it were occupied as a dwelling and were separately rated.

Mr. HENLEY said, that the Solicitor General had failed to tell the Committee what the definition of a dwelling-house by the Courts of Law really was. He agreed with the hon. Gentleman, the Member for Oxford University (Sir William Heathcote), that it was most desirable that there should be such a definition. At the same time he doubted whether this Amendment would be a wise one, because it would leave all the overseers in the country in the greatest possible difficulty as to what dwellings they were to rate, and what they were not to rate. The Amendment would leave it entirely to their arbitrary will whether to rate one of these occupancies or not. Now he did not think that was a discretion which they would like to have, or which Parliament ought to leave to them. Parliament ought not to drive parties to legal proceedings, either to compel the overseers to put them on the rate book or to appeal against being put on the rate book. He could not vote for the Amendment because it would throw things completely into confusion. It would be a most inconvenient thing to have overseer A. this year putting men on the register, and overseer B. next year cutting them off, without any one being able to say that they had done wrong.

The ATTORNEY GENERAL said, the first question to be determined was whether the Committee intended to adhere to the definition of a dwelling-house as established by law, or to make a new definition of their own irrespective of the existing law. Of course, it would be quite competent for the Committee to say that they would have a definition of their own; and that definition would not necessarily be in accordance with the present decisions of the Courts of Law. Now, in his opinion, it would be wise not to interfere with the law as it now stands. It was quite a mistake to suppose that the Government found an insuperable difficulty in giving a definition, but the fact was that in their judgment, it was better that the law should not be altered, and that the present decisions should determine the matter. Even if the Committee adopted the Amendment, they would still leave it to the Courts of Law to determine what it was that constituted a separate and complete dwelling-house. Could any one say authoritatively what was the rule by which overseers assessed to the poor rate any dwelling or part of a dwelling? He was persuaded the rule could not be laid down in that Bill. They had to guard, therefore, against the arbitrary exercise of discretion on the part of overseers. Besides, there were other difficulties in the matter. A person might have a room and dine in it, but sleep elsewhere, and it might be rated separately, and the question would arise whether that was a dwelling-house under this Amendment. In fact, the Amendment would bring them no nearer a definition than at present. As to the borough of Sunderland, which the hon. Gentleman (Mr. Candlish) had brought under the notice of the Committee, his opinion was that if there was a door on the staircase which shut in and separated the occupier, the tenement was as the law now stood, a dwelling-house. [Mr. Candlish: Not if there be a street door closed.] He believed if there was a separate and independent dwelling, whether the street door was kept closed or open, that constituted a dwelling-house. All that the Committee could do, in his opinion, was to lay down broad and general principles, and the best way of doing this was to adopt the existing law; if they attempted to go further, they would still ultimately, after, perhaps, a long period of new uncertainty, be left where they were by the Courts of Law.

MR. HIBBERT thought there were great objections to the word "building" in the Amendment. If the word "house" were substituted it would be much better. He would suggest that the word "dwelling-house" should be taken to include any part of a house used as a separate dwelling and separately rated to the relief of the poor. He believed those words would meet the difficulties of the case in question.

SIR ROUNDELL PALMER said, he could see no substantial objection to the suggestion of the hon. Member for Oldham. He believed the hon. Gentleman's proposal was to substitute for "building," &c., "any part of a house occupied as a separate dwelling and separately rated to the relief of the poor." He hoped the Committee would understand that nothing was further from his wish than to intrude upon the province of the Attorney General. It was only after they had waited a long time, and the hon. and learned Gentleman had not suggested any definition, that he had put the Amendment on the Paper. He thought there were points which were left by the legal decisions in an unsatisfactory position, and that Parliament should take care that every part of a house separately rated should confer a vote, independent of any niceties as to the outer door or the kitchen and out-houses. As to the discretion of the overseers, his Amendment would not enlarge it, for as the Bill stood it would be left to them to discriminate between a dwelling-house of which the occupier should be rated and one wholly let in apartments.

THE CHANCELLOR OF THE EXCHEQUER said, the feeling of the Committee appeared to be in favour of some definition, although his own feeling was that, under the very great difficulties of the case, it was more prudent not to embark into the dangerous domain of definitions. If a definition, however, was to be adopted, he preferred the suggestion of the hon. Member for Oldham (Mr. Hibbert) to that of the hon. and learned Gentleman opposite (Sir Roundell Palmer), but thought it would be well to have more epithets, and that the definition suggested some time ago by the Attorney General, "a separate, independent, and complete dwelling," would more perfectly carry out the idea of the hon. Member for Oldham.

SIR ROBERT COLLIER thought the proposal of the hon. and learned Member for Richmond, as amended by the hon. Member for Oldham, afforded the best definition, and that the suggestion of the Chancellor of the Exchequer would only add to the difficulties.

MR. RUSSELL GURNEY pointed out that these questions would equally arise whatever definition was adopted. Several suggestions had been offered which were deserving of consideration, and he thought it would be better to postpone the clause.

THE CHANCELLOR OF THE EXCHEQUER hoped a conclusion would be now arrived at, seeing that the Committee were favoured with the presence of many Gentlemen of the long robe. The subject was not novel, and as he had been receiving definitions of a dwelling-house for the last two months, it was, he thought, pretty well exhausted. The objection of the hon. and learned Gentleman (Sir Robert Collier) to the words "independent" and "complete" equally applied to "separate." He left it to the Committee to decide on the best definition, and hoped it would prove satisfactory.

SIR ROUNDELL PALMER said, he feared that the accumulation of epithets would lead to difficulty, and thought the word "separate" would be sufficient.

THE CHANCELLOR OF THE EXCHEQUER said, he would accept the Amendment of the hon. Member for Oldham as a middle term.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of new Boroughs, and report if Enlargement necessary).

THE CHANCELLOR OF THE EXCHEQUER moved in page 10, line 28, after "say" to insert—

> "The Right Hon. Lord Viscount Eversley, the Right Hon. Russell Gurney, Sir John Thomas Buller Duckworth, Bart., Sir Francis Crossley, Bart., and John Walter, Esq., to be Boundary Commissioners; three to form a Quorum."

MR. DARBY GRIFFITH said, that some time ago it had been a question whether Members of the House should be upon the Commission; and he was one of those who thought it undesirable that they should be. That system of exclusion, however, was not adopted, and then the hon. Member for Birmingham objected that there was no Gentlemen who represented his own political party who was to be on the Commission; but if the principle of party representation was a sound one, then other parties ought also to be represented there. He regretted that the name of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) had been removed from the list of the Commissioners, because he thought that if any Gentleman on the Commission would be animated by a desire to act with impartiality and justice, it would have been the right hon. Gentleman, and he made no scruple in acknowledging that he should have greatly preferred the appointment of the right hon. Gentleman to that of the hon. Baronet the Member for the West Riding (Sir Francis Crossley), whom he considered to be the party representative of a certain section in that House. He was guilty of no discourtesy to the Commissioners of 1832 when he said that, tied down and restricted as they were, they had altogether failed in making anything like an equitable arrangement of the boroughs. For instance, some of them were confined almost to the limits of the old municipal boundaries, and others were actually spread over fifty square miles of country in order to fulfil the requisition of the Government that every borough should contain at least 300 houses of £10 annual value. In 1832 the Boundary Commission did not comprise any Members of Parliament; but was composed of persons who were in no degree subject to Parliamentary influences. What they were going to do now was to appoint a Commission, the majority of the Members of which would be neither more nor less than sleeping partners. There would be about six Commissioners, who would superintend the work only, and it was quite clear that the principal portion of the business would be done by Assistant Commissioners, who would be appointed under the patronage principally of the Chief Commissioner. He hoped that care would be taken that none of the Assistant Commissioners would be chosen from the class of political agents. There was one name on the Commission to which he could not but object. It was that of a gentleman who was very well known as a party man—he meant the gentleman who was Member in the last Parliament for Berkshire (Mr. Walter), and was now a candidate for the same county. He knew of no grounds whatever why a peculiar public distinction should be conferred upon that gentleman, except that he was understood to be connected with a very influential organ of public opinion, and he did not think that that was an adequate reason why he should be appointed on the Commission. While he willingly testified to the excellence of his personal character, he considered he was not in a position favourable to the exercise of strict impartiality in his treatment of a question of this kind, and he thought that other gentlemen less connected with party politics would be better qualified to fulfil this duty. He thought that it was high time that there should be a little more candour, and a little less delicacy, in that House, and that men should not hesitate to say there what they did not hesitate to say to each other at the clubs.

Mr. Serjeant GASELEE was not going to undertake the invidious task of objecting to particular Members of the Commission, but he objected on constitutional grounds to the whole management and superintendence of the Commission being handed over to a Peer, who would have the appointment of the Assistant Commissioners, and all the patronage resulting therefrom. At one time the House of Commons were very jealous with respect to handing over their privileges to Peers, and they would not even suffer them to vote at elections for Members of Parliament. He thought that it would have been better if the Government had taken upon itself the responsibility of appointing the Commissioners, and not have left it to the House of Commons; the result of which was that, practically, no one would be responsible for the faults committed by the Commissioners or their Assistants.

Mr. W. E. FORSTER said, that they could not forget that, in inserting the names of the Commissioners in the Bill, they did in fact relieve the Government to some extent from responsibility for the work of the Commissioners, and imposed that responsibility upon those who named the Commissioners. This being so, it was felt that they ought to give them power to appoint their Assistant Commissioners, and he wished to ask whether the same rule would apply to the appointment of Secretary. He believed that he was not wrong in saying that upon occasions of appointing Boundary Commissioners the custom had been that the Secretary should be appointed by the Commissioners themselves. He trusted that this course would be followed upon the present occasion.

MR. GLADSTONE said, he thought it but fair to the right hon. Gentleman the Chancellor of the Exchequer to say that the names which he had now submitted to the Committee appeared to him to be free from any just objection on the ground of party preference. But he must reserve to himself the liberty of offering this criticism on the composition of the Commission. He understood the argument of the right hon. Gentleman to be that in both Houses of Parliament it might be convenient to have present those who would be able to explain the recommendations of the Commissioners. He therefore thought that the appointment of a Peer as a member of the Commission was not at all liable to the objection taken by his hon. and learned Friend (Mr. Serjeant Gaselee), who should bear in mind that the Lords had a direct, immediate, and co-ordinate share in the legislation of the House of Commons. That House could not claim to deal with the question of its representation as a matter of privilege; and, consequently, it was perfectly fair that when Parliament was called upon to name persons as agents of its will for any purpose outside its own walls, among those persons, some Members of the House of Lords should be found. But he did not see the same strength of argument for the appointment of ex-Members of that House. It was evident that they could render no such service in explaining the views of the Commission. At the time of the Government of Lord Grey a course was taken which he should have thought more expedient on the present occasion—that was to say, that gentlemen of scientific attainments or engineering abilities unconnected with political party, but fully cognizant of a great variety of circumstances, bearing materially upon questions connected with the division of counties, were appointed. He thought there was nothing objectionable, as a matter of Government patronage, in the proposition now made, which seemed to be dictated by a desire to meet the claims of the Government and the general views of Parliament. With respect to the Secretary, he thought that the appointment ought properly to be in the hands of the Commission, but in a case of this kind, connected directly with the privileges of Parliament, as nearly the whole of the business of this Commission would be to direct the servants of the Legislature and not of the Government, he certainly was of opinion that there was no legitimate occasion for the interference of the Government with respect to appointments such as the Assistant Commissioners or the Secretary. At any rate, in all questions of this importance it was customary to take the House into the confidence of the Executive Government. With respect to the Oxford University Commission he did not remember whether the Secretary was appointed by the Government or by the Commissioners, but the name of the Secretary was made a matter of discussion in that House, and the opinion of Parliament was taken with respect to the appointment before it was ultimately sanctioned. He trusted that the answer of the Chancellor of the Exchequer would be in conformity with the view of his hon. Friend, because it was but fair to urge that this was a case in which the Legislature had a peculiar and exclusive concern, and in which the Executive Government as such had no concern whatever.

THE CHANCELLOR OF THE EXCHEQUER said, he was extremely glad to find that, upon the whole, the Committee seemed disposed to accept the names which were now proposed; and he would only observe that the right hon. Gentleman who had just spoken had answered sufficiently the objections made by the hon. and learned Gentleman as to a Peer being placed on this Commission. It would have been a great omission on the part of the Government, even if it had not been in their power to avail themselves of the services of one so experienced in such matters, and so entitled to public confidence as the noble Lord alluded to. It was highly important that, on a great constitutional Commission touching particularly the representation of the people of that House, both branches of the Legislature should be intimately connected with the investigation. With respect to the Gentlemen named on the Commission, who were ex-Members of that House, they were chosen, not on that account, but because the Government really thought that they were two of the ablest men who could be selected for the duty required of them. They were not, however, selected until many others had been appealed to in vain. The question as to whether they should have scientific Members on the Commission, was one which had been much considered by the Government: and it had not been from any neglect or want of appreciation of that peculiar kind of service that should thus be rendered, but from obstacles and difficulties which were so great as to be insurmountable, that such Gentlemen were not appointed. He still hoped that when the Commissioners settled the duties of their subordinate officers they would be able to avail themselves of services of that kind. With regard to the appointment of hon. Members of that House, he need say nothing of his right hon. Friend the Recorder of London. And he could only say with regard to the hon. Baronet the Member for the West Riding of Yorkshire (Sir Francis Crossley), that the Government selected him because he was a Member of the great Liberal party, and because they believed, on the whole, that he represented impartially the opinions and feelings of the two sides. That hon. Gentleman probably represented the opinions of both sections in respect to this question, because though his own opinions were known to be what were called Liberal, and though his social position showed that he had a constitutional sympathy with the Whig party, nevertheless from his territorial connections he might be supposed to have some interest common to the country party. The Government therefore felt they might be permitted to put him as a co-member on the Commission, resting satisfied that his presence there would not frighten the hon. Member for Birmingham or his political friends. With regard to the patronage of the Commissioners, that was a question which it appeared interested hon. Gentlemen more than Her Majesty's Government. He thought it was rather premature to settle details of that kind when they had not as yet obtained the appointment of these Commissioners. As soon as they were appointed all the steps that were necessary for the due performance of their duties would be taken. Until the Commissioners met and deliberated, it would be impossible for them to form any idea of the amount of subordinate assistance they would require. He had already informed the Committee that the Commissioners themselves would appoint the sub-Commissioners. In regard to the appointment of the Secretary, his first impression was that it was highly important that there should be some intimate relation between the Executive and the Commission, as it was no doubt a Commission that would lead to a considerable expenditure of the public money. If the Government had retained the privilege of nominating the Secretary, it certainly would not have been their duty to have recommended any person connected with politics, but a public servant in whom the House and the country would have confidence. It was, however, premature, to enter into those discussions. All he could say was that, when the Commissioners were appointed, and had met, the Government would confer entirely with them, and no Secretary would be appointed who did not meet with their approval.

Motion *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER then proposed to substitute for that portion of the original clause which defined the functions of the Commissioners, an Amendment to the effect that the Boundary Commissioners should immediately after the passing of the Act

> "Proceed by themselves or by the Assistant Commissioners appointed by them to inquire into the boundaries of every newly constituted borough, with power to suggest such alterations therein as they may deem expedient; they shall also inquire into the boundaries of every other borough in England and Wales, with a view to ascertain whether the boundaries should be enlarged, so as to include within the limits of the borough all premises the occupiers of which ought, due regard being had to situation or other local circumstances, to be included therein for Parliamentary purposes, for the purpose of conferring upon the occupiers thereof the Parliamentary franchise for such borough. They shall also inquire into the temporary divisions of counties as constituted by this Act, and as to the places appointed for holding courts for the election of Members for such divisions, with a view to ascertain whether, having regard to the natural and legal divisions of each county, and the distribution of the population therein, any, and what, alterations should be made in such divisions or places. And the said Commissioners shall, with all practicable dispatch, report to one of Her Majesty's principal Secretaries of State upon the several matters in this section referred to them, and their Report shall be laid before Parliament."

MR. BOUVERIE suggested that there might, if the clause were altered as proposed, be some difficulty on the part of the Commissioners as to whether the appointment of the Assistant Commissioners rested with those who would have the necessary powers to make the inquiry. It would, perhaps, be better to postpone the clause, and bring up another in which the point was more clearly defined.

THE CHANCELLOR OF THE EXCHEQUER thought there could be no doubt that every means would on application to the Treasury be given to the Commissioners to perform their duties.

Amendment *agreed to.*

On Motion of Mr. GATHORNE HARDY, words were inserted to obviate the objections raised, providing that the Commissioners might proceed by themselves, "or by Assistant Commissioners appointed by themselves," to institute the proposed inquiry.

Mr. SANDFORD moved, as an Amendment, to add after the word "therein," the following:—

"For Parliamentary purposes, and in the case of those boroughs for which freemen dwelling within seven miles of them have a right to vote, to enquire whether their boundaries should be so enlarged as to include equally all householders dwelling within the same radius of seven miles from the said boroughs."

The hon. Member thought it highly important that there should be a certain mixture of urban and rural voters in order to prevent the House from forming two hostile camps, with no moderate men to soften down the differences between them; and also because the enlargement of boroughs had proved, in such cases as Shoreham and East Retford, an effectual mode of putting a stop to electoral corruption.

Mr. GLADSTONE said, the Amendment of the hon. Member for Maldon seemed to illustrate in a singular manner the debate of yesterday with regard to the privileges of freemen. Great indignation then existed as to the slightest suggestion being made that they were of all classes of the constituency, more open to human infirmities than the great mass of the householders of the country, and that it was dangerous to admit a special class of that kind separate from the general type contained in the Bill. The hon. Gentleman's proposal was directly intended to apply to corruption; and he made it, in reference to the freemen, because wherever there were freemen the area was greatly to be enlarged. [Mr. Sandford: No, certainly not.] For the purpose of correcting the abuse and corruption that arose therefrom. If not, why did not the hon. Member propose to extend the area in the case of every borough? That it appeared to him was the clear Parliamentary meaning of the proposal—namely, that it was to be a special proposition against corruption where freemen existed; and he referred to Shoreham and East Retford where the evil had been cured. The hon. Gentleman exaggerated the case against freemen when he supposed that his Amendment would be regarded as a cure for their erratic tendencies. He regarded the proposal as objectionable, and as one that raised a question of policy rather than a question of boundaries. If it were right, wherever there were freemen, or in all boroughs, to extend the boundaries to the uniform radius of seven miles, the question was not one to be referred to Boundary Commissioners, but a political question of great importance, which was perfectly within the knowledge of the House, and one which it would be right to submit as a separate Motion rather than as a detail of instructions to the Boundary Commissioners, to whose duties it had no relevance whatever.

Mr. NEWDEGATE objected to the Amendment, on the ground that it would extend household suffrage further than it was intended at the commencement of the Session.

Mr. VANCE suggested that the seven mile radius should be measured from the boundary of the borough and not as now from the supposed centre of the borough. It was measured now from the place where the poll takes place, and it often happened, as in the borough which he represented (Armagh), that the polling took place in one corner of the borough.

Mr. MONTAGU CHAMBERS said, the Amendment seemed to intend to make a circle with a diameter of fourteen miles, and that all persons residing within that circle should have the privilege of being in the same situation as if they resided within the borough; thereby, in fact, creating a small county.

Mr. SANDFORD said, his Amendment was not intended to apply specially to freemen to maintain the balance in boroughs where the town and rural element prevailed, and he should be willing to extend it to all boroughs of a certain amount of population.

The CHANCELLOR of the EXCHEQUER said, the effect of the Amendment of the hon. Member for Maldon would be to completely upset the whole Parliamentary system of the country. A great deal might be said irrespective of freemen on the propriety of their making districts of this kind. They were now proceeding on a different principle, and therefore he could not accept the Amendment. He could understand the advantage of extending the area of boroughs of a rural character, but there could be no doubt that the balance of opinion was doubtful on the subject. A proposition of this kind could not be brought incidentally into a Bill of this kind, which proposed to deal with matters on principles quite different. He would suggest that the hon. Gentleman should withdraw his Amendment.

Mr. SANDFORD said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

[*Committee—Clause* 31.

Mr. LOCKE KING moved, as an Amendment, the insertion, after the word "boundaries," of the words "should be reduced, or whether they." This would give the Commissioners power to inquire as to whether the boundaries ought to be reduced, as well as whether they should be enlarged.

The CHANCELLOR of the EXCHEQUER said, he hoped the hon. Member would not press his Amendment. There were great objections to it. It would open up a very large question, and might lead to so much disturbance of the present boundaries as to greatly retard the operation of the Bill. It would also entirely destroy the arrangement that had been entered into with the Boundary Commissioners.

Mr. LOCKE KING said, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. GATHORNE HARDY moved an Amendment to the effect that, after the word "premises" the words "the occupiers of" should be omitted, and that the words "Parliamentary purposes" should be omitted, in order to insert the words "for the purpose of conferring on the occupiers thereof the Parliamentary franchise for such boroughs."

Mr. CHILDERS said, the original proposal in the Bill of 1831 empowered the Commissioners to add to any borough any place adjoining it, no part of which was locally situated more than one mile from it except in cases where the existing boroughs were of so small a size as not to have more than 300 voters, and then their powers were limited to add places not more than seven miles distant. That clause, however, did not become law.

Mr. BAILLIE COCHRANE asked, whether it was proposed that the Royal Commissioners should be empowered to include within the borough boundaries large villages which happened to be within the seven-mile radius?

Mr. GLADSTONE said, in the Bill of 1831 there was a distinct object totally different from that which they now had in view. The details were different then to what they now were, and consequently different instructions were given to the Boundary Commissioners. The object in 1831 was to bring the boroughs up to a certain magnitude, which was to be done irrespective of the question whether the parts necessary to bring them up to that magnitude belonged to the boroughs or not. The clause as now proposed he understood to be substantially a mere expansion of the expression used in the clause as it originally stood, and the effect of it would be only to include within the area of such boroughs the population proper to them, the Commissioners having nothing to do with the question of including large villages or small towns in the neighbourhood of such boroughs.

Colonel DYOTT said, it appeared to him that they were drifting very fast into electoral districts. It had been said that the primary object of the Committee was to come to a settlement of the question.

Sir GEORGE GREY rose to order. The hon. and gallant Member was referring to the Amendment of the hon. Member for Surrey, which had been withdrawn.

Colonel DYOTT said, he was not; but he was calling attention to the fact that it was the primary object of the Committee to come to a settlement of the question. Only yesterday a petition was presented by the hon. Member for Shropshire, from a parish comprising a population of 12,000, in the immediate neighbourhood of the borough of Wenlock, praying to be included within that borough, which at present comprised seventy-five square miles. It would be necessary, in order to make a settlement of the question, to give the Commissioners other powers besides those of enlarging the areas of boroughs. He reminded the Committee that the present Prime Minister in 1852, speaking upon the question of Reform, as connected with household suffrage and electoral districts, observed how nearly allied were the two extremes of unlimited franchise and unlimited despotism.

Amendment *agreed to.*

Sir GEORGE GREY, in the absence of Mr. Bright, proposed the insertion of the following words:—

> "Due regard being also had, where advisable to any definite limits already assigned to any of such boroughs for municipal or other local purposes."

He thought that, without fettering the discretion of the Commissioners, it was desirable in cases where the municipal boundary fairly comprised the borough population, to make the Parliamentary boundary conterminous with it.

Mr. POWELL said, the boundaries for municipal and local purposes were constantly being changed, and he thought the Commissioners, instead of being restricted by existing boundaries, should rather be encouraged to enlarge those boundaries by including outlying districts.

VISCOUNT CRANBORNE said, the Amendment was hardly applicable to the metropolis and some other towns, where there were districts for gas, water, postage, boards of health, and other things, having limits with no relation whatever to the political purposes of boroughs.

SIR GEORGE GREY said, the Amendment certainly would not apply to the metropolis. The Amendment did not pretend to bind the Commissioners, but only to direct their attention to existing boundaries.

THE CHANCELLOR OF THE EXCHEQUER remarked that in Halifax and many other towns the population beyond the municipal boundary exceeded that within it. The Commissioners ought, he thought, to be left as free as possible. If the Committee held it desirable to restrict existing boundaries, the policy of which he doubted, it ought to be indicated in the Commissioners' instructions.

MR. GLADSTONE thought it would be wise to direct the attention of the Commissioners to the limits already assigned by law to any of these boroughs. They proposed last year that where boroughs were enlarged for municipal purposes, beyond the limit of the Parliamentary boundary, they should adopt a similar course with respect to the Parliamentary boundary; that would be a very proper provision to introduce into this Bill. They could not provide completely for prospective enlargement, but they should provide for prospective enlargement as far as they could. The enlargement for municipal purposes could never be considered too large, because none but *bonâ fide* districts were likely to be included.

MR. VANCE pointed out that a suburban district frequently objected to inclusion within the municipality, on account of its higher taxation. The Commissioners should not therefore be debarred from including it in the Parliamentary boundary.

MR. W. E. FORSTER thought that the districts which objected to coming within the municipal boundary ought not to be anxious to come within the Parliamentary boundary.

MR. HIBBERT said, Rochdale was a case where there was a large population outside the municipality. He thought the question should be left to the discretion of the Commissioners.

THE CHANCELLOR OF THE EXCHEQUER said, that in the case of Rochdale a circle drawn with a three-quarters of a mile radius would exclude a larger portion of the population than it would include, and the outer population refused to be drawn into the municipality. He thought the proposed instruction to the Commissioners altogether unnecessary, and he hoped that the right hon. Baronet would withdraw the Amendment.

SIR GEORGE GREY contended that the Amendment did not restrict the Commissioners, but merely directed their attention to a certain point.

THE CHANCELLOR OF THE EXCHEQUER said, that the Commissioners would have the power of considering all the facts of the case, the municipal boundaries included, and he recommended that the Amendment should be withdrawn.

MR. GOLDNEY remarked that in several boroughs the extra parts were much larger than the original boroughs.

MR. M'LAREN observed, that the position of Rochdale showed the inexpediency of trying to extend the boundary of the Parliamentary borough beyond the municipal boundary. In Rochdale they built a town hall, and to defray the expense 40,000 inhabitants voluntarily assessed themselves at 25*s*. per head. There were gas works and other public improvements and for defraying the cost heavy rates should be levied for several years. The inhabitants of a considerable township outside might say that they would avoid the payment of rates for such purposes as a country parish; but would claim, should the Parliamentary boundary be extended beyond the municipal boundary, to have an equal share in the election of Members of Parliament for the borough, though they would bear none of its burdens. That was contrary to the general principle upon which these things should be regulated.

SIR EDWARD BULLER doubted whether any Commissioners would take upon themselves the responsibility of exercising so large a power. The proposed division of his own county (Staffordshire) was regarded as unsatisfactory. At present the county was divided into North and South; but by the present Bill it was proposed to divide the Southern Division into two, to be called East and West.

MR. W. E. FORSTER asked what was the extent of power to be given to the

Commissioners as to the divisions. Originally no power was given to the Commissioners to interfere with counties. Now that power had been introduced. The Government proposed to divide the county of the West Riding into three divisions, and those divisions were so framed, that one of the divisions would consist of three-fifths of the whole area of the Riding, another of less than one tenth of that area. Many of the inhabitants, as well as several hon. Members, did not think this would be a satisfactory arrangement, and he wished to know from the Government whether the Boundary Commissioners would have power to revise it.

THE CHANCELLOR OF THE EXCHEQUER said, there was no doubt the Commissioners would have the power of revising those arrangements; but they would have no power to make divisions, as Parliament would retain the right of examining and sanctioning, if it thought proper their recommendations. It was the decided intention of the Government that the Commissioners should possess these powers, and, as the Government were advised, they would possess these powers.

MR. W. E. FORSTER said, that, as he understood the explanation which had been given, the Commissioners were not to be prejudiced in the divisions of the counties and ridings by anything in the schedule.

MR. GLADSTONE apprehended that there were cases where the Commissioners would really have the power to create new constituencies. They could not, of course, do that in the boroughs, nor in those counties that were already divided into two. In such cases their power would be limited to making the constituencies either larger or smaller; or to take from one division of a county and give it to another. But then take the case of the West Riding. It was proposed to divide that into three divisions, which he might call A, B, and C. Now it would be in the power of the Commissioners to unite B and C into one and to divide A into two, which would practically be a new constituency. It might therefore be well, when considering the Report, to add some words indicating the general sense of Parliament as to the limits of the power which they were to exercise.

MR. NEVILLE-GRENVILLE said, in his county, as well as in some others, the temporary divisions proposed in the schedules were very inconvenient to the electors, and they would be better pleased if the divisions were left as they were at present.

MR. BASS said, it was the unanimous opinion of all persons in North Staffordshire that the divison recommended by the Government was extremely fair and unimpeachable.

THE CHANCELLOR OF THE EXCHEQUER deprecated any further discussion of the schedule, which was not at present before the Committee. He would say again that the schedule had been prepared against a contingency which it was necessary to contemplate; but which was in the highest degree improbable, and which the Government did not anticipate would occur. But for this contingency it would not have been necessary to make such temporary provision; and the Government would have been satisfied with leaving a blank, and only enacting that certain boroughs should be enfranchised, and certain counties divided.

Amendment, by leave, *withdrawn.*

MR. GATHORNE HARDY moved the following addition to the clause:—

"And the said Commissioners shall Report to one of Her Majesty's principal Secretaries of State upon the several matters in this section referred to, and their Report shall be laid before Parliament."

MR. GLADSTONE was afraid that the Government were going to leave out the two paragraphs which followed in the original clause.

Amendment *agreed to,* with further words suggested by Mr. GLADSTONE, directing that the Commissioners should Report "with all practicable dispatch."

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

PARLIAMENT—HOUSE OF COMMONS (ARRANGEMENTS.)

MOTION FOR A SELECT COMMITTEE.

MR. HEADLAM, in rising to move for the appointment of a Select Committee to consider whether any alteration can be made in the internal arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the procedings, said, he would not detain the House at length, as he believed there would be no opposition to the Motion from any quarter. The inconveniences attending present arrangements were clear and obvious. Unseemly competition sometimes took place for seats; and Members frequently failed to obtain them, although they came down early in order to secure them, and were thus prevented from taking part in debates. The subject required careful consideration, but he did not wish to pledge the Committee by expressing any opinion as to what ought to be done. If the Committee were appointed, however, he would do his best to have the subject fully and fairly considered, and he trusted that the Report of the Committee would result in the improved comfort and convenience of Members, so that important deliberations might be carried on in a befitting manner.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider whether any alteration can be made in the internal arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings."—(*Mr. Headlam.*)

Lord HOTHAM reminded the House that it was not so often as was imagined that their Chamber was too small for the purposes required of it. When any personal quarrel was on the *tapis*, hon. Members crowded in most abundantly, and caused a great scarcity of seats; but those who kept their places knew, as he did, that between half past 7 and 8 to half past 10 and 11 there was no reason to complain of the smallness of the Chamber. He doubted whether an enlargement of the House would enable Members to hear better what was going on; for though he was afraid, he must admit, that discussions could not be heard as plainly now as formerly, the cause was not to be found in the apartment as much as in the fact that those who led the discussions usually spoke in a tone of voice which appeared to be addressed only to those sitting on the Bench opposite them. This remark did not apply to the case of a debate of great moment, such as had been common of late, but to matters of perhaps less interest, but certainly of far too great importance to be disposed of in a conversational tone, quite inaudible to hon. Members at any distance from the speakers. If the House were enlarged, then he doubted whether they would hear anything at all. When his late lamented Friend Sir Robert Peel was in the House, it mattered not from what part of it he spoke, no one ever had occasion to call on him to speak up; he understood that it was his duty to let the House generally hear what he had to say. Every evening the business of the House was commenced by the asking and answering of a series of questions of general interest, by which a large amount of important information might be conveyed to hon. Members; but such was the buzz of voices prevailing at the time, and such the conversational tone in which this part of their proceedings was conducted, that outsiders were quite unable to profit by it. Some were desirous of procuring a change which would enable more Members to take part in the debates; it was very problematical, however, whether that would be an advantage. He was of opinion that a great deal of time would be saved, and that the business would be more efficiently conducted, if fewer Members spoke upon it than was the case at present. If, for instance, only the leading Members of the Government and Opposition, and those personally concerned in the question were to take part in the discussion of it, he believed the result would be far more satisfactory. But notwithstanding all this, he did not object to the Motion for a Committee.

Notice taken that forty Members were not present; House counted, and forty Members being found present,

Lord JOHN MANNERS said, with reference to the Motion of the right hon. Gentleman (Mr. Headlam), that it was quite evident a sufficient case would be made out in support of it. He perceived, however, that the right hon. Member proposed that the Committee should make inquiry into the internal arrangements of the House of Commons. He thought that the word "internal" would hamper the proceedings of the Committee, and that it had better be omitted, so that their discretion might be unfettered. If therefore the hon. Gentleman would consent to the omission of that word he should be happy to accede to the Motion.

Amendment proposed, to leave out the word "internal."—(*Lord John Manners.*)

Question, "That the word 'internal' stand part of the Question," put, and *negatived.*

Main Question, as amended, put, and *agreed to.*

Select Committee *appointed,* "to consider whether any alteration can be made in the arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings."—(*Mr. Headlam.*)

And, on June 28, Select Committee *nominated* as follows:—Mr. Bazley, Mr. Bright, Mr. Baillie Cochrane, Mr. Cardwell, Mr. William Cowper, Viscount Enfield, Lord Elcho, Sir Frederick Heygate, Mr. Hankey, Mr. Beresford Hope, Mr. Lanyon, Lord Hotham, Mr. Tite, Lord

JOHN MANNERS, and Mr. HEADLAM:—Power to send for persons, papers, and records; Five to be the quorum.

NATIONAL GALLERY PICTURES (SOUTH KENSINGTON MUSEUM).

MOTION FOR AN ADDRESS.

MR. DILLWYN moved an Address for a copy of the Report of the Committee appointed by the Science and Art Department, to inquire into the alleged deterioration of the pictures belonging to the Naional Gallery deposited at the South Kensington Museum.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Report of the Committee appointed by the Science and Art Department, to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum." — (*Mr. Dillwyn.*)

LORD ROBERT MONTAGU said, that a Committee had formerly been appointed to consider the subject of the injury which resulted to the pictures at South Kensington from the use of gas. The Committee drew up their Report, which was laid upon the table and printed. In consequence of a recommendation from that Committee, another Committee—the one referred to by the hon. Member—was appointed, and that Committee were now continuing their labours. As soon as their Report was drawn up it would be laid upon the table, printed, and distributed; but until then the Report could not be produced. He hoped, therefore, that the hon. Member would withdraw his Motion.

Motion, by leave, *withdrawn.*

LIBEL (*re-committed*) BILL—[BILL 112.]

(*Sir Colman O'Loghlen, Mr. Baines.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (No Proprietors of Newspapers shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting).

MR. NEATE proposed to add the following words to the clause:—

"Provided that no meeting shall be deemed a public meeting within the meaning of this clause unless it be held, if in a county, with the written permission of the sheriff of such county; if in a city or borough, with the written permission of the mayor of such city or borough; if in a place not within the limits of any county or borough, then with the permission of the local public authority in whom is vested the management and control of the place in which such meeting is held; and no meeting held beyond the limits of any county or borough shall be deemed to be a meeting within the meaning of this clause if held in any place being private property, whether with or without the permission of the owner."

He wished to know how much beyond those words the hon. and learned Member (Sir Colman O'Loghlen), who had made no statement as to the general scope of the Bill, wished to carry his definition of a legal meeting. In his opinion this was not a time in which the immunities of the press could properly be extended. The press, under existing regulations, was all that it ought to be; but it was impossible to say, until it had been tried, how far the propriety of its conduct was owing to a sense of legal responsibility. In ordinary private life the sense of legal duty was increased by a sense of legal responsibility, and in his opinion it would be a matter of considerable danger to exempt the press from all its legal responsibilities, more especially at the present time, when newspapers were read more and more by a lower and more ignorant population, who might easily be guided or misguided by what they read in those publications. By adopting the clause as it stood there would be danger of calling into existence a press of a less high moral character than that which existed at present; and, in his opinion, this was not a time when Parliament should allow the reins to slip out of their hands. This was a question that should be taken up by Her Majesty's Government, as individual Members were liable to pressure from the various local newspapers. He had himself received a letter on the subject from the Association of Provincial Newspapers, which comprised representatives from every county in England, and such an association was likely to be able to put considerable pressure upon individual Members. Under these circumstances private Members were entitled to demand from Her Majesty's Government a decided expression of opinion upon the question; and if Her Majesty's Government stated that, in their opinion, the press of this country could be safely trusted with the liberty conferred upon them by the clause now before the Committee he should be willing to withdraw his opposition to it; but until a decided opinion to that effect was expressed by them he should feel bound to press his Amendment. It was also of the first importance that Her Majesty's Government should state what in their opinion was, and what was not a legal public meeting. The hon. and learned Member concluded by moving the Resolution of which he had given notice.

Sir COLMAN O'LOGHLEN explained that the reason he had made no statement in moving to go into Committee upon the Bill was that its general scope had been fully debated on the second reading, and, at the suggestion of the right hon. Gentleman the Member for the University of Cambridge, it had been referred to a Select Committee, composed of fifteen Members, among whom were the right hon. Member for Oxfordshire, the right hon. Member for Calne, the hon Member for Sheffield, the late President of the Board of Trade, the noble Lord the Member for Nottingham, the late Attorney General, the late Solicitor General, and the late Irish Secretary. That Committee went deliberately through the Bill, which they canvassed line by line, and eventually agreed to in its present shape. Under these circumstances he had felt it unnecessary to make any statement in moving to go into Committee upon it. He would now confine himself to the objection which had been taken by the hon. Member for Oxford, that the clause before the Committee was too general, and that some definition should be drawn as to the meetings at which speeches might be reported. The matter was fully discussed by the Select Committee, and several attempts were made to put a definition upon the words, and, eventually, it was decided that the words of the clause were the best that could be adopted. The subject had come under discussion in the House of Lords upon the introduction of Lord Campbell's Bill in 1858, when an attempt was made to define what meetings came under the words "legal public meeting." On that occasion Lord Lyndhurst defined the meetings to be "public meetings lawfully assembled for a lawful purpose." He admitted that in the clause the word "public" had been omitted; but that was so as to embrace railway, joint-stock companies, and other meetings which were not strictly speaking public meetings, although it was very important that reports of their proceedings should be published. The words inserted in the clause were "meetings lawfully assembled for lawful purposes, open to reporters, and at which reporters are present." It would be for the Judge and jury at the trial to determine whether the meeting came under that definition.

Mr. AYRTON observed, that the object of the Bill was to place society at large at the mercy of the excellent persons who conducted public journals. The word "public" was the very essence of Lord Lyndhurst's definition. Under the clause as it stood anything that was uttered by three persons who met together to drink tea, and who chose to call in a reporter, would be privileged, and might be published with impunity by a newspaper. He thought the addition proposed by his hon. Friend was necessary to give force and character to the proceeding. What was meant by a lawful assembly for a lawful purpose? How many persons would constitute such an assemby? Any purpose was lawful which was not *malum in se* or *malum prohibitum.* He should like to hear the Solicitor General define what was meant by a "lawful assembly for a lawful purpose."

Mr. LOCKE said, he thought his hon. and learned Friend the Member for the Tower Hamlets took an extreme view of the case. He seemed to think that a meeting in the Tea-room, where two or three were gathered together, and a reporter was called in to report the proceedings, would bring the meeting within the description of the clause. But the words of the clause were—

> "A meeting lawfully assembled for a lawful purpose, open to reporters, and at which reporters were present for the purpose of reporting the proceedings for the public newspapers."

The Judge and jury must decide in every case whether it was a lawful meeting; and to ask a Solicitor General to define beforehand what constituted a public meeting was such a thing as no Solicitor General who had ever sat upon that Bench had ever been called upon to do. But why should not a newspaper be protected in reporting the proceedings of meetings? Take a railway meeting, for instance, where they all knew disagreeable things were sometimes said; one man charged another with false representation and cheating, and going on in a way that was perfectly disgraceful. Why should the newspaper proprietor who reported those speeches for the information of those who were interested be held responsible for any untrue statements, instead of the speaker who made the statement? They ought not to consider what peculiar meetings might be manufactured, but should look at the everyday meetings that took place;

and decide whether the newspaper should be liable for the offence which had been committed by some one else.

Viscount AMBERLEY thought the first clause should be taken in connection with the third, which considerably modified it. The principle was to take the responsibility from the newspaper, and place it on the person who uttered the libel. If that principle was right, they ought to make the definition of "public meetings" as large as possible. If it was wrong, they should throw out the Bill altogether. He hoped the Committee would not agree to the Amendment.

The SOLICITOR GENERAL said, he had no intention of discussing what was the meaning of the term "lawful meeting assembled for a lawful purpose." The Select Committee had left out the word "public" because there was so much difficulty in determining what was a public meeting; and he thought that there were sufficient words in the clause to exclude those imaginary meetings of two or three persons which had been referred to. He thought that it would be better to adopt some such phrase as that in the Bill rather than pursue the course of an attempt at definition such as was recommended by the Amendment. If there was any definition it would be found that certain meetings would not come within the definition, though there was no intention to keep them out of it; and that in respect of them, persons whom it was intended to protect would not be protected. He hoped the Amendment would be negatived.

Sir WENTWORTH DILKE was understood to say that the clause would not apply to the case of some literary and scientific meetings.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 4 (The Privilege of Parliament or other Public Bodies, or of any Person, not to be affected.

Sir COLMAN O'LOGHLEN proposed to add at the end of the clause words to the following effect:—

"And in the case of any action for libel for words spoken the defendant shall have the same privileges as he would have in an action for slander."

Mr. AYRTON said, it seemed to him somewhat unreasonable to make a man responsible for words which he was reported to have used, although he might deny the accuracy of the report.

Mr. Locke

Mr. GLADSTONE contended that it was open to the person who was reported to have used certain language, to impugn the accuracy of the report in the event of having been misrepresented.

The SOLICITOR GENERAL also maintained that it would be a sufficient answer in an action for libel under the Bill for words spoken to prove that they had never been uttered.

Mr. NEATE put the case of a man going to a meeting who had no wish to address the public but merely to influence those present, and suggested that it would be somewhat hard to make him liable to an action for libel for words so used, merely because a reporter chose to lay hold of them and publish them to the world.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

Sir COLMAN O'LOGHLEN proposed the following new clause:—

"No action or prosecution shall be maintainable for the publication of any defamatory matter contained in any report, paper, votes, or proceedings of either House of Parliament, which either House of Parliament shall have ordered to be published; nor shall any action or prosecution be maintainable against a printer or publisher for the publication of any defamatory matter in any periodical or other publication, if such defamatory matter shall be a true and fair report of the proceedings of either House of Parliament."

He mentioned that Mr. Hansard had had two actions brought against him in consequence of the publication of the reports of speeches made in that House; and, though the parties did not proceed with their actions, he had been put to considerable expense. They were all indebted for the reports which appeared every morning in the newspapers, and yet the persons publishing them were liable to have legal proceedings taken against them. Mr. Rigby Wason had that year brought fourteen actions for reporting proceedings which took place in the House of Lords upon the presentation of a petition from himself, and applied for a summons against the publisher of *The Times* newspaper, but the magistrates decided against the application. It was desirable that the principle which the House had adopted with respect to the reports of the proceedings of public meetings should also apply to the reports of the proceedings of Parliament.

Mr. HENLEY believed the clause now proposed to be exactly contradictory to the other parts of the Bill. The party aggrieved was to have a remedy against the party uttering defamatory language. But the clause now under consideration would enable any hon. Member to abuse any one to his heart's content. He did not think that a Member ought to be allowed to state things which might be published all over the world without the party aggrieved having a remedy. So long as the matter stated was confined within the walls of the House the party was not injured, unless he was present to hear what was said; but if it got into the papers, and was thus disseminated over all the world, the person aggrieved would have no remedy. It would be almost tempting people to do a good stroke of abuse, and give it a wide circulation. He did not think such a course of proceeding would tend to the amendment of the manners of hon. Gentlemen, or to promote good feeling, and he should therefore vote against the clause.

MR. NEATE also opposed the clause. The House, in the action which it took upon the case of "Stockwell *v.* Hansard," only assumed to assert its privilege as a body, and did not claim to protect individual members against the indiscreet abuse of the freedom of speech.

MR. POWELL observed, that although the "Reports, Papers, Votes, or Proceedings" of the House might not be injurious to the character of any person, paragraphs taken from those Reports might be injurious, and charges might be published to all the world without a syllable of explanation or defence. He suggested that words similar to those which were used in the case of Reports, and which required that they should be "true and fair," should be inserted in the part of the clause which related to the publication of Parliamentary Papers.

MR. AYRTON said, that the right hon. Member for Oxfordshire (Mr. Henley) did not fully appreciate the effect of the Amendment, which was to put a periodical on the same footing as a newspaper. The first part of the Bill was artificially confined to newspapers, and did not embrace periodicals. The right hon. Member's objection to the clause was an objection to the Bill.

MR. SYNAN said, there was no doubt that the principle of the Bill was to transfer from the reporter to the speaker the responsibility for what was said at a public meeting; but if a speaker could plead privilege he was protected, and no liability attached to him. The privilege of Parliament exempted a speaker from any legal liability. The objection to the clause was founded on this fact, which seemed to have been overlooked, and the matter was therefore one which was altogether outside the Bill.

MR. J. STUART MILL said, the first part of the clause provided that there should be no remedy for any defamatory matter contained in any document ordered by the House to be printed. Remembering the multifarious sources of the documents which the House ordered to be printed, he could not help thinking that if there was to be no remedy against the public, as there could be none against the House, for the circulation of any defamatory matter, the House could not do less than appoint some person to look carefully over all documents and see that no defamatory matter was needlessly introduced.

MR. SANDFORD observed, that a speaker in the House was in a different position from a writer in a newspaper. The speaker was responsible for what he stated; and if the writer in a newspaper desired to be responsible he had nothing to do but to put his name to an article written by him. The party ought to be able to plead that the report was an accurate report.

SIR COLMAN O'LOGHLEN said, that he should be willing to insert in the clause words which would prevent the selection for publication of defamatory matters from Parliamentary Papers. The necessity for making the reports of Parliamentary proceedings privileged was obviated by the circumstance that the jury would say that Parliament was a lawful assembly, for a lawful purpose; but that consideration would not apply to *Hansard's Debates*, and it was with a view to legalizing them that the clause was framed.

COLONEL FRENCH said, that as this clause had not been before the Select Committee, the House ought not to be asked to adopt it.

MR. AYRTON said, that no doubt the press was to a certain extent in an exceptional position, and the fair way was to place newspaper proprietors in the same position as other persons. The tendency of legislation had of late been in that direction, by doing away with the necessity of giving recognizances. He asked his hon. and learned Friend to withdraw the clause, because it would close Courts of Justice against humble individuals who happened to be libelled. The better way would be to apply the principle as contained in the Lords' Bill.

THE SOLICITOR GENERAL suggested the withdrawal of the clause. The Bill was intended to apply to newspapers only; but it was now proposed to add a clause that was rejected by the Select Committee, to make every document containing libellous matter privileged.

Clause, by leave, *withdrawn.*

MR. LOCKE rose to move the following new clause:—

> "In any action for libel in a public newspaper the court or a judge may, on the application of the defendant at any time during the proceedings, order that the plaintiff shall give to the defendant security for the payment of defendant's costs, and that all proceedings in the cause shall be stayed until such security shall be given."

He said, the Lord Chancellor had introduced a Bill into the House of Lords for the purpose of requiring that, in certain cases of a doubtful character, security for costs should be taken; and in cases arising under this Bill it seemed right that there should be power to take security for the costs of defence. If the party alleging that he was libelled declined to proceed against the person who libelled him, and elected to bring an action against a newspaper, he should be compelled to give security. This course would put a stop to vexatious actions, which there were several speculative attorneys only too ready to institute. The plaintiff might not be worth a penny, but the newspaper proprietor was obliged to lodge security at Somerset House. A verdict for 40*s.* would entitle the speculative attorney to his costs; but on the other hand, if the defendant succeeded, he had no hope of recovering from the plaintiff the expenses to which he had been, however vexatiously, put. If newspaper proprietors performed their duty fairly, they were entitled to the protection which the clause sought to obtain for them.

THE SOLICITOR GENERAL said, the question raised by the clause had been discussed in the Committee, and they were unanimously of opinion that it would be most unfair that the proprietors of newspapers should possess a privilege which was not enjoyed by any other class of persons. He could not understand why a person who brought an action against a newspaper should be required to give security for costs because a sum of money had been deposited by the newspaper at Somerset House. If the hon. and learned Gentleman were prepared to say that, in all cases, persons who brought actions should be compelled to give security for the costs, that was a totally different and much more comprehensive question; but, for his part, he could certainly see no reason why an exception to the ordinary rule should be made in cases where the defendants were proprietors of newspapers.

SIR COLMAN O'LOGHLEN said, there was a difference between newspapers and ordinary defendants, because the former were obliged to deposit a sum of money at Somerset House, whereas the latter gave no security whatever for the payment of costs. There were, however, many arguments in favour of a general measure on the subject of security for costs being given by plaintiffs; and he might mention that a Bill relating to the County Courts had already passed the House of Lords, containing an express provision to the effect that when an action was brought for malicious prosecution, libel, &c., the defendant might make an affidavit that the plaintiff had no visible means of defraying the costs, and that the judge might thereupon make an order that the plaintiff should give good security for the defendant's costs. If that Bill had passed this House of course the proposal of the hon. and learned Member for Southwark would be unnecessary; but, under existing circumstances, he thought it would be desirable to incorporate the proposed Amendment in the Bill.

MR. SANDFORD trusted that the Committee would not agree to the Motion of the hon. and learned Gentleman, because if it were carried it would have the effect of placing the press in a different position from that occupied by private individuals. He hoped the Committee would not condescend to the low position of "toadying" the press. In his opinion an anonymous press was one of the greatest evils of modern times. He might add that this proposition was fully discussed by the Committee of which he was a member, and that it was unanimously rejected.

MR. AYRTON was of opinion that the proprietors of newspapers ought to be placed in exactly the same position as other people, and he trusted, therefore, that his hon. and learned Friend would not press his Amendment. The result of its adoption would be to close the Courts of Justice against the humbler classes of society.

MR. O'BEIRNE felt certain that no one inside or outside the House had the slightest disposition to "toady" the press, and he was sorry such an observation had fallen from the hon. Member for Maldon. This country might regard its press as one of the finest institutions in the universe, and one of its main features was its unanimous character.

MR. LOCKE did not think the Solicitor General had met his proposition fairly; but as it appeared that his clause had been considered by the Committee upstairs, he begged to withdraw it.

Clause, by leave, *withdrawn.*

Preamble.

MR. AYRTON called attention to the fact that as the speakers at all assemblies of a privileged character, such as the meetings of joint-stock banks, were to be privileged, and as the newspapers were to be privileged, there would be no one to proceed against for a libel spoken at one of those meetings.

Preamble *agreed to.*

House *resumed.*

Bill *reported,* as amended; to be considered upon *Thursday,* and to be *printed.* [Bill 208].

ATTORNEYS, &c., CERTIFICATE DUTY BILL—[BILL 53.]—COMMITTEE.

(*Mr. Denman, Mr. Vance, Sir John Ogilvy.*)

MR. DENMAN, in moving that the House should go into Committee on this Bill, said that the attorneys were at present subject to what was really a quadruple tax. They had to pay a fee of £80 upon their entrance to the profession, another of £25 upon taking out their articles, the ordinary income tax upon their professional earnings, and also the annual tax (which was £9 in London and £6 in the country) for the renewal of their certificates. No other profession had to pay a tax for permission to work. He had authority for believing that the average income of attorneys in the kingdom did not exceed £360 a year, so that, in fact, this duty was equal to an additional income tax of 6*d.* in the pound upon all the members of the profession whose income did not exceed the sum he had stated. The Chancellor of the Exchequer, the Lord Chief Justice of England, the present Lord Chancellor, and Lord Cairns, had all voted against the tax. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had objected to his (Mr. Denman's) dealing with this question because he was a barrister. Others might impute to him what motives they pleased; he should feel himself a coward if he allowed himself to be deterred from proceeding with this Bill, because, forsooth, some persons, who can attribute none but low motives to others, might, as his hon. and learned Friend suggested, impute unworthy motives to him. His hon. and learned Friend had disclaimed any such suspicion on his own part, but in using the argument that a barrister ought not to deal with such a subject, because others might make unpleasant insinuations, he had only confirmed him (Mr. Denman) in his resolution to proceed with the Bill. In undertaking the conduct of this Bill he was conscious of no other motive than the wish to repeal an unjust and oppressive tax. He felt confident that that was the only motive which actuated the distinguished persons he had mentioned, when they voted against this tax, being at the time practising barristers; and he was sure no other motive had induced Lord Robert Grosvenor (now Lord Ebury), when in this House, to wage a persevering warfare for its repeal. Another argument against the Bill was that an objection against licences should be taken, not singly, but in a lump against all licence taxes. But if this argument prevailed, no licence, however objectionable, could be touched without including in the operation an attack on other licences which might not possess the same objectionable features. Still another argument against this measure was the time argument. But that meant nothing more than this: "Do not attack the duty now, because you do not know what the Chancellor of the Exchequer is going to do in his Budget;" but when the Budget was over the language was changed; it was then—"Do not attack the Budget, for see what the Chancellor has done." And this argument being applicable at each and every moment of the Session, amounted to holding that no tax should ever be repealed except at the instance of the Chancellor of the Exchequer for the time being. It was because the tax was unjust and oppressive to the poorer portion of the legal profession that he asked the House to abolish it. He moved that the Speaker leave the Chair.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Stamp Duty on annual Certificate of an Attorney, &c. repealed, and Duty granted in lieu thereof) *agreed to.*

Clauses and Preamble *agreed to.*

House *resumed.*

Mr. WALPOLE said, that his right hon. Friend the Chancellor of the Exchequer, who had been in the House until just now, had no particular Amendment to insert, and therefore did not oppose any of the clauses; but the hon. and learned Gentleman must not suppose that the Bill would pass unchallenged upon the third reading.

Mr. DENMAN said, that was entirely contrary to the understanding come to with the Government, because he was told the discussion would be raised on going into Committee.

Mr. WALPOLE said, that the understanding was that the discussion would take place at a future stage. The discussion had not taken place at this stage, but would on the third reading.

Bill *reported,* without Amendment; to be read the third time upon *Thursday.*

INVESTMENT OF TRUST FUNDS BILL.

(*Mr. Henry B. Sheridan, Mr. Ayrton.*)

[BILL 197.] SECOND READING.

Order for Second Reading read.

Mr. H. B. SHERIDAN moved the second reading of this Bill, which proposed to enable trustees to invest funds intrusted to them in the new East India Stock. The principle of the Bill was in accordance with judgments delivered by Lord Campbell and other Judges; and, in fact, might be regarded more as explanatory of the law than as a new proposition.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. H. B. Sheridan.*)

Mr. HENLEY desired to know the opinion of the Government on the Bill, as it appeared to him to contain some important provisions; it proposed to enable trustees to invest in funds not secured by the Government, whereas at present trustees were very properly confined to funds that were so secured.

Colonel W. STUART desired to know whether the hon. Member who had moved the second reading of the Bill was sure that Lord Campbell had given a judgment in favour of the principle on which the Bill was founded, as in a case in which he had been personally concerned he was informed to a contrary effect.

Mr. KARSLAKE hoped that if the principle of the Bill were approved, the stock of the New Canada Railway would be included in the same class with the New East India Stock, as trustees had great difficulties now-a-days in making what could surely be deemed sound investments, having a reasonable rate of interest to recommend them.

Mr. H. B. SHERIDAN said, that the Amendment suggested by the last Speaker would meet with his cordial assent in Committee, and with reference to the question of the hon. and gallant Member, said, that he had Lord Campbell's judgment in his hand, and would read it, if the House wished.

Mr. WALPOLE, while declining to express a decided opinion without first consulting with the Attorney General, said, that previous Acts of Parliament had permitted trustees to invest in those stocks only which the Government had secured; the Bill of the hon. Member would permit trustees to invest in stock which was not so guaranteed. He did not see, however, why the hon. Member should not pass his Bill through this stage.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL—[Bill 39.]

(*Mr. Henry B. Sheridan, Sir Patrick O'Brien.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [18th June], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

Mr. W. N. HODGSON, who opposed the further progress of the measure, contended that railway companies, being the chief sufferers by accidents, would be only too glad to adopt any invention which would give greater security to the public. No invention had hitherto been brought forward which had obtained the confidence of the public. This Bill merely enacted that a communication, without describing any particular communication, should be adopted. All carriages were to be provided with an effectual means of communication with the guard; but no conviction could be obtained for the infringement of such a loosely drawn clause of an Act of Parliament as that. At present the only means of communication was by means of a cord running through the whole train, which was far from effectual, because when the train was on a curve it became loose. He should be glad if his hon. Friend would point out an effectual means of communication between the guard and the passenger; but until it was pointed out he must oppose the further progress of the Bill.

MR. M'LAREN said, he had presented a petition praying that the Bill might be allowed to pass, and in the prayer of that petition he cordially concurred. The object which it was sought to attain he looked upon as excellent; and it seemed to him incredible that the whole inventive genius of this county should be unable to devise some means of communication which would answer the required purposes.

MR. LEEMAN pointed out that as a matter of fact the inventive genius of the country had failed to accomplish the object. Men of the greatest experience had endeavoured, in the interests of the railway companies themselves, to establish some means of communication, such as that which the Bill proposed to carry out, but without success; and Captain Tyler, as the representative of the Board of Trade, had stated that no scheme for the purpose had been brought under his notice, the adoption of which he could recommend. The railway companies were extremely anxious that the Board itself should prescribe the means to be taken to provide the necessary communication; and seeing that that was not done, and that Clause 6 was to be struck out, he should like to know what use there could be in proceeding with a measure which was thus shorn of its original provisions by the hon. Gentleman by whom it was promoted. He called upon the Government, if they could avail themselves of the necessary engineering information to accomplish the object in view, to introduce a Bill for that purpose; but it certainly was not, he must say, fair to throw upon the railway companies a responsibility such as that which it was now proposed to cast upon them.

COLONEL W. STUART said, that if they were to leave the matter to railway directors, they might wait till doomsday before anything would be done. A short time ago the roof of a carriage in which some of his friends were travelling took fire, and as there were no means of communication with the guard, all they had to do was to shout in order to attract notice. The fire was observed as they went by a station, but the train could not be stopped. At last the train was stopped, and immediately after the roof fell in. His friends escaped with their lives, but their baggage was consumed. Now, if there had been some mode of communication with the guard the train might have been stopped earlier, the baggage would not have been lost, nor the passengers frightened almost out of their lives. If no means of communication between passengers and guard could be established, he wished to know whether they could not, at all events, do as was done in America, and contrive a mode by which the guard might pass from one end of the train to the other. He hoped the Bill would be allowed to go into Committee, in order that they might see whether some means might not be adopted for saving the lives of the public.

MR. DILLWYN said, that there was a special department of the Government—namely, the Board of Trade, whose province it was to look to such matters; and he should like to hear what the representative of that department had to say on this question. He had never seen any plan by which such means of communication as was desired could be provided. As for the guard going from one part of the train to the other, that might be done; but it would place the railway companies under the necessity of providing new rolling stock altogether. He, as a railway director, could say that directors were most anxious to adopt any means of communicating with the guard that might be found practicable, and they were willing to submit to the Board of Trade in the matter.

MR. O'BEIRNE said, that he had recently had an opportunity of seeing a signal adopted on the Great Northern of France which he was told was very effective. There was plenty of engineering talent in England to discover some means of communication between passengers and guards, and if such means were not at first as effective as might be desirable, they could by degrees be improved. Let Parliament say that some means must be established, and no doubt a remedy for the present state of things would soon be discovered.

SIR MORTON PETO expressed an opinion that it was quite possible to adopt some mode of communication such as was contemplated by the Bill. In fact, it was already in use not only on the Continent, but on some English lines.

Mr. STEPHEN CAVE said, that this was one of the measures which appealed to the general feeling of the country, and those who made objections to it were exposed to a certain amount of obloquy. When the hon. Member moved the second reading of the Bill, he (Mr. Stephen Cave) recommended that before going into Committee they should wait for the Report of the Royal Commission. Now, that Report was rather against the measure, the object being to fix absolute responsibility on the railway companies. The Commissioners consider that if they were to interfere with the details of the management of railways they would, to a certain extent, diminish that absolute responsibility; and they wished if any accident occurred to person or property that the railway company should be absolutely responsible. He had on a former occasion gone into this question at length, and should be very brief now. He had no doubt that communication between passengers and guards might be established. There was such communication in Royal trains, there was such on the Continent, and also in some parts of England. The hon. Baronet who had last spoken, and who was a great authority on matters of this kind, had stated that communication was possible. But there was a great difference between England and foreign countries in one particular, and hon. Members who had spoken had felt the difficulty. If a guard was informed that something was going wrong, was he to be at liberty to stop the train or not? In several cases it would be found extremely difficult and dangerous to stop the train. Was the guard to be responsible in such cases without knowing the precise meaning of the signal? On the Continent and in America it was different. The guard who received a signal could go at once to the carriage whence it proceeded. On English railways there would be a *minimum* of advantage from the establishment of a communication between guards and drivers. There would also be a difficulty in adapting signals to carriages in the case of lines with frequent junctions, at which the continuity of the train was broken. Besides, in cases of outrage, the first thing would be for the person committing it to prevent access to the signal. He entirely repudiated all responsibility for the Board of Trade in the matter. The Bill in its first draught required the Board of Trade to certify that particular communications between guards and drivers were in a perfect state. But that he held to be impracticable, and he had insisted on that portion of the Bill being omitted. The hon. Member for Dudley had consented to this, and he therefore would not oppose going into Committee; but he thought the Bill would require careful consideration in Committee.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short Title).

Mr. W. N. HODGSON moved that the Chairman do report Progress.

Mr. H. B. SHERIDAN explained that the measure did not throw any responsibility upon the Board of Trade, and stated that one of the best managed companies in England—the South Eastern Company—had successfully adopted a system of communication between guards and passengers and saw no objection to the measure. He should therefore divide the House on the Motion of the hon. Member opposite.

Sir FRANCIS CROSSLEY said, he had, ten years ago, sat on a Committee on this subject, which reported in favour of the establishment of a communication between guards and drivers, and if Parliament determined that it should be established, railway directors would soon find out the best means of doing so.

Mr. DILLWYN said, that the Committee referred to by the last speaker was appointed to consider the feasibility of establishing communications between the guards, and not between the guards and the passengers, which was a very important distinction.

Mr. HOWARD said, that the Directors of railways were most anxious to discover some plan by which it would be possible for passengers to communicate with the guards; and it would, perhaps, be better to leave the matter in their hands.

Mr. CRAUFURD, in support of his contention that there was no physical difficulty to prevent guards walking along the foot-boards of the carriages, alluded to the fact that in some parts of Scotland it was customary for the guards to collect the tickets by that means while the train was in motion.

Sir MORTON PETO said, that the system adopted on the Great Northern of France and on the Mediterranean Railways had been found to work admirably. In that system the passenger seeking to communicate with the guard broke a glass and pulled a ring. There was also a communication between adjoining compartments of the carriage—an arrangement that tended to give passengers, especially ladies, a feeling of security.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Nicholson Hodgson.*)

The Committee *divided:* — Ayes 35; Noes 72: Majority 37.

Clause 1 *agreed to.*

Clause 2 *agreed to.*

Clause 3 *omitted.*

Clause 4 (Penalty for not establishing such Means of Communication).

MR. H. B. SHERIDAN moved the omission of the words "ready and effectual."

MR. PAULL thought the clause ought to be omitted, and that a fresh one, framed on the principle of the one to be proposed in the place of Clause 3, should be brought up.

MR. W. P. PRICE was of opinion that the Bill ought not to be proceeded with until the clauses, which it was proposed to bring up, were before the Committee. He moved that the Chairman report Progress.

MR. STEPHEN CAVE thought it was unwise to oppose the Bill in the interest of the railway companies, because it certainly was the mildest form of legislation that could be proposed.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. William Philip Price.*)

The Committee *divided:* — Ayes 21; Noes 65: Majority 44.

MR. DILLWYN said, the clause was a very important one, and time ought to be given for consideration in its amended form. He therefore moved that the Chairman do report Progress. ["Oh, oh!"] It was in no spirit of faction that this Motion was made.

COLONEL W. STUART said, that the object of repeated Motions to report Progress on a short Bill of this kind at this period of the Session were perfectly well understood. It showed that a determination existed on the part of railway directors to defeat this Bill if possible. He could call it nothing else but a factious opposition.

MR. PAULL denied that such a charge was fairly to be made against the representatives of railway interests. It was impossible to suppose that Railway Directors would resist the adoption of any system really calculated to protect human life from risk, and increase the safety of their passengers. But the fact was that, in the present state of science, no really efficient system of protection had been yet discovered, and therefore it was idle to go on with the Bill at present. He had supported and should continue to support Motions for reporting Progress.

MR. LOCKE said, the hon. Member was desirous of reporting Progress in order, apparently, that some really satisfactory invention might be discovered before the Bill came on again for discussion. If no real security was afforded by the systems at present in use on different railways, how was it that companies took such credit for adopting them? His hon. Friend had been beaten by two to one in the former division, and three to one in the last. He put it to him seriously, whether it was worth his while to run about the lobbies any more that evening?

COLONEL NORTH said, he must confess the course taken by Railway Directors looked exceedingly like a determination to reject the Bill if possible. He could not say how many years this farce had been going on, and it was now time to do something practical.

MR. PEASE protested against the language of the hon. and gallant Member for Bedford. There was not a railway board in the kingdom which had failed to devote hours to the anxious consideration of this question, and many of them had incurred great expense in trying experiments. He would suggest that the Bill be revived in a more practical shape next Session.

MR. O'BEIRNE stated, that communications between passengers and guard had been established on the South Western line.

MR. H. B. SHERIDAN also testified to the same fact, remarking that railway directors appeared lamentably ignorant on the subject.

MR. PAULL suggested that the contest on the Bill should be reserved for the 3rd Clause.

Motion *negatived.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 5 *agreed to.*

Clause 6 (Board of Trade to grant Certificate of Compliance with Act).

Mr. H. B. SHERIDAN moved the omission of the clause.

Mr. STEPHEN CAVE said, that the certificate of the Board of Trade was useless as the Bill stood. It was not to be expected that the Board of Trade should certify to each train having some signal.

Clause *struck out.*

Mr. H. B. SHERIDAN, in lieu of Clause 6, proposed the following clause, which was read a second time:—

"From and after the expiration of six months from the passing of this Act each and every railway company in Great Britain and Ireland shall in every train provided for the conveyance of passengers upon lines of railway under their control and management, whenever the distance to be traversed by such train without stopping shall, in any case during the journey exceed fifteen miles, fit up and provide in each carriage, and in each compartment of a carriage in which passengers are conveyed, means of communication between the passengers and the guard in charge of such train, and shall also provide means of communication between the said guard and the driver or drivers of the locomotive engine or engines attached to such train."

Mr. DILLWYN proposed after the word "shall" to insert the words "if required by the Board of Trade;" but after some discussion the addition of the words was negatived, and the clause was added to the Bill.

Mr. STEPHEN CAVE said, that the Amendment would establish a new principle of legislation, because the Act of Parliament would only become operative on the requisition of the Board of Trade. This would be changing the functions of a Government department which were now simply executive.

Amendment *negatived*

Clause *added* to the Bill.

House *resumed.*

Bill *reported;* as amended, to be *considered* upon *Friday.*

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, June 26, 1867.

MINUTES.]—Select Committee—On Parliamentary Deposits *nominated;* on Oxford and Cambridge Universities Education *nominated.*

Public Bills—*Ordered*—Admiralty Court (Ireland.*

First Reading—Admiralty Court (Ireland)* [209]; Annuity Tax (Edinburgh)* [210].

Second Reading—Land Tenure (Ireland) [19], debate *adjourned.*

Considered as amended—Real Estate Charges Act Amendment* [181].

Withdrawn—Railway Companies (Winding-up) (Ireland)* [101].

LAND TENURE (IRELAND) BILL.

(*Sir Colman O'Loghlen, Mr. Gregory.*)

[BILL 19.] SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN, in moving the second reading of this Bill, said, it was a measure to improve and regulate the relations between landlord and tenant in Ireland—a question in which the Irish people took the greatest possible interest, and until it was settled that peace and harmony which ought to exist in that country could not be obtained. The question lay at the root of most of the discontent and disaffection which existed in Ireland, and until some settlement of it was arrived at he was afraid that state of things must continue. He was not so presumptuous as to suppose that the present Bill would settle that question. It would, however, he thought, go a considerable way in that direction. Within the last few months a great deal of literature had been published by Noblemen connected with Ireland on the land question. Lord Dufferin had published a most interesting pamphlet on the subject, and Lord Rosse and Lord Lifford had also published pamphlets, as well as another Irish Peer, who had not given his name, but who had published a pamphlet entitled *The Irish Difficulty.* In that anonymous pamphlet the noble Lord in question had thought proper to denounce the present Bill, and to speak of it as one of the most outrageous and unconstitutional measures that had ever been introduced in this House, and he expressed his surprise that the hon. Member for Galway, whose name was on the Bill, could support such a measure, and supposed he had only done so knowing that the Bill could never pass. When, however, he (Sir Colman O'Loghlen) found that the Bill introduced in 1852 by the noble Lord the present Chief Secretary for Ireland had been characterized by Lord Lifford as the worst Bill ever brought before the House of Commons, he was not surprised, nor was he annoyed at what had been said as to his own Bill. So far, however, from the Bill being unconstitutional, outrageous, or revolutionary, it was founded in justice and equity, and was in strict accordance with principles known to the law. The first question which was generally asked, when measures of this sort were proposed was, why should there be any special legislation at all on the subject of landlord and tenant — why should there be any exceptional legislation with regard to Ireland? But hon. Members seemed to forget that from the very first period of our history there had always been special legislation with respect to the law of landlord and tenant. The right of levying distress for rent was founded upon special legislation. Indeed, it was utterly impossible that land could be dealt with without some kind of special legislation or another. The present Earl of Derby, then Lord Stanley, in a debate that took place in the House of Lords in 1845, said, that although he admitted the expediency of legislating for Ireland on the same principles as for England, yet the circumstances of landlord and tenant in Ireland were so widely different from the circumstances in this country that he felt the Government were justified in applying measures to Ireland which they were not called upon to introduce for any other part of the United Kingdom. In corroboration of this, he would appeal to the experience of almost every Irish Member in the House. There was not a single Member for an Irish county constituency who had not stated in his address to his constituents that he was prepared to legislate on the subject of landlord and tenant. He could appeal, further, to the course adopted by the Legislature itself in relation to the Irish land question. Twenty years ago a Royal Commission was appointed to inquire into this very subject. Committees had frequently sat upon it, and every Government that had taken office for the last ten years had brought forward Bills upon this particular question. The present Bill dealt solely with the question of the tenure of land, and not at all with the question of compensation to the tenant, except in one small part. The Bill therefore differed from every other measure on the subject which had been introduced into this House. He thought that the questions of tenure and compensation should be kept perfectly distinct. The two evils which the tenantry of Ireland complained of were the want of security of tenure, and of compensation for improvements made by them on their tenancy being terminated by their landlord. The tenantry of Ireland felt that they had no certainty in the tenure of their land, and they wanted a different and better system than that of tenancy from year to year. The main object of the present Bill was to discourage as much as possible tenancies from year to year, and to substitute leasehold tenancies in their stead. A more unfortunate tenancy than that from year to year could not exist for Ireland; for when a man was liable to be turned out of his tenancy at almost any moment, he could have no inducement to make improvements on his farm. Such tenancies were contrary to all principles of political science, and he might almost say contrary to human nature itself. There had been a growing disinclination among proprietors of high rank and position to encourage leases in every way, and to keep their tenants almost as serfs upon the land. This was strong language, and he would not use it unless it were justified by facts. Archbishop M'Hale, in one of his pastorals, said that the systematic refusal of leases, and the fear of being compelled to quit their holdings, prevented the vigorous and successful cultivation of the soil in a great part of Ireland, and led to artificial sloth in the cultivators, and the flight of the population. It was clear from the pamphlet of Lord Rosse, who was Chancellor of the University of Dublin, and whose political opinions were not so sound as his scientific attainments, that it was his policy, and the policy of his order, not to grant leases. His view was that, if Irish tenants had leases, Members might be returned to Parliament unconnected by property with the country. Gamblers may denounce dice, drunkards may rail at intemperance, but Lord Rosse was the last man who should have said this, for he was the great supporter of Mr. Pope Hennessy, who was totally unconnected by birth or by property with the King's County? Lord Rosse defended the opposition of his class to leases by saying that, if they had to contend for their rights, they should be able to do so with their hands untied. As to the rights of Irish landlords, they could suffer little when it was recollected that out of 105 Irish Members sixty-four were returned by the counties. The Bill was simply permissive, and it was also prospective. It would not compel any one to grant leases; but would give every facility for doing so, and would impose penalties on the landlord who chose to let his property from year to year. The first provision of the Bill was that no tenancy in respect of land should be created by verbal agreement, but must be in writing. That was a principle of the Bill introduced by the Marquess of Clanricarde in the other House, and was a principle which was also embodied in the Statute of Frauds. The Statute of Frauds, however, imposed the penalty on the ill-formed man; he would impose it on the well-informed. The Statute of Frauds laid down that in, the absence of a written agreement, the tenancy should be held to be only a tenancy-at-will; but this Bill proposed that it should be deemed a leasehold tenancy for twenty-one years, the length of time, however, being only a matter of detail, and might in Committee be fixed at three years, five years, or any number of years that might appear proper. The tenant, who overheld, however, was not to obtain the benefit of that provision. There were two ways of encouraging the granting of leases, both of which he adopted. The first was, to get rid of all disabilities, the other, to make the tenancies from year to year as cumbersome as possible to landlords, so that they might in self-defence be anxious to grant leases. He proposed that no tenancy from year to year should be put an end to without twelve months' notice to quit—the present practice of six months' notice having been found to be most mischievous in operation. This provision for a twelve months' notice was also contained in the Bill of the Marquess of Clanricarde. The next provision was that in tenancies from year to year half the county cess should be paid by the landlord. The county cess in Ireland was a large and growing charge. While the county rates in England, which he believed did not include highway rates, varied on an average from 1*d.* to 3*d.* in the pound in the year, the county cess in Ireland varied from 1*s.* to 1*s.* 3*d.* every half year, or from 2*s.* to 2*s.* 6*d.* every twelve months. Lord Dufferin went still further than this, for he held that, in tenancies from year to year, the whole of the county cess should be paid by the landlord, on the ground that it was only those who had a permanent interest in the land who ought to be called upon to pay the cess. Further, he proposed by this Bill that, in the case of yearly tenancies, the landlord should lose his right of distress for rent. The only ground for giving a right of distress to the landlord was that, in case of a lease, he was bound to give credit to his tenant for a certain number of years; but that reason did not apply to a yearly tenancy. The next provision was that a yearly tenant who was ejected by his landlord should be entitled to compensation for growing crops, and for any benefit arising from any manure which he had laid upon the land, and which might be unexhausted. The principle of that compensation was recognized with regard to cottier tenants in the measure called Cardwell's Act; and in 1859 the noble Lord the present Chief Secretary for Ireland proposed to extend it to all tenants. The last provision with regard to yearly tenancies enacted that where a tenant from year to year had been in occupation of land for five years he should be entitled to compensation for his loss of occupancy or tenant-right. Existing tenancies were exempted from these provisions, but would come under their operation in the year 1870. The Bill further provided that, where a limited owner granted a lease for an insufficient rent, instead of the lease being void as at present, the rent should be raised, and that leases for twenty-one years should be exempt from stamp duty. In order to encourage such leases he had framed the strongest possible clauses to prevent the tenant from subletting without the consent of the landlord; and he had reserved the right to the game for the landlord, and had inserted other provisions for his benefit. The Bill would not apply to demesne lands, or to tenancies under £4. In asking the House to agree to the second reading of the Bill he did not wish them to accept its clauses and details, but simply to affirm the principle that yearly tenancies should be discouraged, and leases as much as possible encouraged. He offered the Bill as a contribution towards the settlement of the land question, which was the source of so much heart burning and discontent in Ireland, and he trusted that as such it would be accepted by the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

Sir HERVEY BRUCE said, that he would not have given notice of his intention to move the rejection of the Bill, as he had done some months ago, if he had been aware that the Motion for the second reading would not come on till the 26th of June. It was quite unnecessary to enter into the question of whether leases were desirable or not, because the Bill did not offer a successful solution of the problem. Nor was it expedient to deal with the argument of whether it was proper to legislate for the tenants and landlords of Ireland in a different way to those of England and Scotland, because the time had not come to discuss that point. In moving the rejection of this measure, he wished it to be understood that he was by no means opposed to the extension of popular privileges. He was inclined to grant any such that were just and reasonable; but he did not think that any good would be done in this direction by the Bill of the hon. and learned Baronet. The hon. and learned Baronet had declared that the discontent of the people of Ireland chiefly arose from the present position of the Church and land questions in that country. He (Sir Hervey Bruce) believed this to be an entire mistake. There was one thing of which he was convinced, that no concession of the Church of England in favour of the Church of Rome, or of landlord in favour of tenant, would make the slightest difference in the feelings of the people of Ireland towards this country; for Irish discontent was due to the legislation of England in former years — legislation which for years had ceased—for the repression of the trade, commerce, and manufactures of Ireland. The effects of past legislation would remain for many years before the condition of the country would present any substantial improvement. One cause of the discontent which prevailed was that so many people, attached as they were to their native land, were compelled to leave it on account of there being no employment except on the land, which could not provide employment for the entire population; while another was that persons gifted with oratorical powers induced a susceptible people to attribute their evils to political causes, instead of endeavouring by steady industry to effect their own advancement. It was these influences, and not the Church or land question, which accounted for Irish discontent, and proposals of this kind would be utterly ineffective in staying agitation. This Bill, moreover, would not benefit the tenant farmers, for it would oblige landlords to serve notices to quit on the whole of their tenantry, as the only mode of protecting themselves against twenty-one years' leases; and if it were made applicable to Ulster, that part of Ireland would be placed in a worse position than it now occupied. Much misconception prevailed with regard to the custom of tenant-right in Ulster. It was commonly supposed to be money given by the incoming tenant for improvements; but the fact was this, that the landlord allowed an incoming tenant to give a certain sum to an outgoing yearly tenant for the goodwill of the farm. It was not, moreover, a consideration for improvements; but for the wasting of the land, for farms in good condition rarely changed hands. The custom was a bad one for the tenant, but a good one for the landlord, who was thereby relieved from the necessity of putting his hands into his pocket on behalf of a distressed tenant who wished to quit his farm. In some cases landlords allowed large sums to be given in this way, while others prevented incoming tenants from being impoverished by excessive payments. Instead of the money being compensation for improvements, it was really compensation for the exhaustion of the soil. With regard to the twelve months' notice to quit proposed by the Bill, he was not aware that tenants were obliged, under a six months' notice given in November, to quit in May, but if such a practice existed the sooner it was abolished the better. He was prepared to vote for the second reading of the Government Bill because he thought it would stop agitation; but he would not agree to the second reading of the Bill under consideration, because he did not think it would even have that effect. He could not comprehend many of the provisions of the Bill of the hon. and learned Baronet. Several of the clauses were unfair and unjust; others were cumbrous and altogether objectionable; and none of them would confer real benefit upon the tenant. The Bill did not go to the root of the matter, and was consequently useless. The only result would be to excite bad feeling between landlord and tenant, and to disturb the harmonious relations which subsisted in his part of the country between the two classes, and which had made Ulster the boast of Ireland. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Hervey Bruce.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHICHESTER FORTESCUE supported the second reading of the Bill. He thought it was wise as far as possible to promote leases in Ireland, and improve the system of land tenure. As to the objections commonly preferred to exceptional legislation, it must be remembered that equality of legislation did not consist in applying the same laws to totally different sets of circumstances, but in adapting laws to varying circumstances. It was not identity in the letter, but identity of spirit, at which legislation should aim. While unwilling to commit himself to many of the details of the Bill, he was glad that the candid explanation of his hon. and learned Friend (Sir Colman O'Loghlen) had removed difficulties which he might otherwise have experienced in voting for the second reading. With the greater part of his speech he heartily agreed. His hon. and learned Friend had refuted the common fallacy that, because in old times, and under widely different circumstances, leases for long periods and at low rents operated unsatisfactorily, this furnished any argument against ordinary agricultural leases of reasonable duration, and he sought to encourage leases, or agreements equivalent to them, by conferring advantages of several kinds on landlords who let their land on such terms. The proposal that henceforth in cases where no written agreement existed, the law should presume the existence of a twenty-one years' lease was certainly somewhat startling; but the interpretation of the existing law and judicial decisions had already converted tenancies at will into tenancies from year to year; and it was worthy of consideration whether a further step towards greater certainty of tenure might not be taken. His hon. and learned Friend had disclaimed any wish to commit the House to the period of twenty-one years, and he was quite satisfied with the explanation he had given. The principles of the Bill were in many respects identical with those of the measure which he (Mr. C. Fortescue) himself introduced last year, though that dealt both with tenure and with compensation, whereas this was confined to tenure, and would treat all tenants alike, whether they had improved their farms or not. He hoped, at some future day, it would be in his power to promote the object of the Bill of last year, and which he believed to be the only basis on which successful legislation could proceed—namely, by the operation of law to create something like those wholesome customs for the protection of the tenant which had grown up in almost every other country, through the natural play of the relations between landlord and tenant. He could only ascribe their absence in Ireland to its unhappy and exceptional history, and to the false relations which had existed between the two classes. The most promising direction for legislation was to bring into existence such customs, both as to tenure and compensation, and this was the aim of the late Government, their belief being that the measure they proposed would strengthen public opinion with respect to security of tenure; and that whenever a dispute arose it was the landlord as the stronger party, and not as hitherto the tenant, who ought to be placed on the defensive. Its effect would have been to secure, both directly and indirectly, protection for the small tenant farmer, and to bring about systems of letting land more in accordance with equity, and more conducive to the prosperity of the country. His hon. and learned Friend had displayed an admirable tone and temper in advocating this Bill, and he hoped it would promote a settlement of this important and long-vexed question.

Mr. GREENE said, he was anxious, in connection with other Members of the House, to promote the prosperity of Ireland, the interests of which were so closely identified with those of England. He cordially approved leases; it being obvious that a tenant with a secure tenure was more likely to farm well than a tenant at will. In many parts of England, however, yearly tenancies prevailed, yet the farmers appeared perfectly satisfied, and he could not see why Irish farmers should not make their own arrangements with their landlords and be equally prosperous. In this country, a man taking a farm at Michaelmas could not be turned out till the following Michaelmas, so that he was secure of gathering in his crops; and in Ireland, where he understood the case was different, it was desirable that the same rule should prevail. He could not, however, agree to the clause forcing on the landlord a twenty-one years' lease. The hon. and learned Gentleman had said that that the Bill would probably be opposed for political reasons. Were there not, however, political reasons why it was introduced? He feared that Irish farmers lacked the energy and industry which characterized English farmers; and, that as long as this question was made a matter of political agitation, they would look to legislation for the promotion of their welfare, instead of trusting to their own exertions.

Mr. O'BEIRNE wished to explain to the hon. Member for Bury and the English Members why it was that contracts with reference to land between owners and occupiers could not in Ireland be left free, as was the case in England, and untrammelled by special legislation. Nothing could be fairer or more reasonable than such a question, and put as it was with observations so just and temperate by the hon. Member, it was entitled to an equally fair and temperate reply, which he (Mr. O'Beirne) hoped he would be able to give. The state of things as they existed in the two countries, England and Ireland, should be well understood before the reply to the question was given. First, in England, there were immense productive resources, large industrial pursuits, great manufacturing establishments, mineral wealth of immense extent, all affording almost inexhaustible demands for labour, and all in the fullest development that capital could give them. Land, therefore, was only sought for by those whose inclinations led them to desire an agricultural or pastoral life. Such was the present state of England; but in Ireland what did they find? An almost total absence of all the means of subsistence except from land—absolutely no other resource, no other support for life, except the produce of the soil. The hon. Member would, therefore, at once see that the great element necessary to form a fair basis for a fair contract was absent. There was no equality whatever between the parties by whom the contract was to be made. As the tenant could not exist without the land, and had therefore no power whatever to make a bargain with the owner of that land, the possession of which was vital to him, he had no alternative, he must accept the landlord's offer of term, of rent, of clauses and conditions be they what they may. So much for the contracting parties, with regard to the commercial value of the contract. But the hon. Member and the House should understand that there was another, and a more serious, influence which operated prejudicially upon all dealings between the owners of the Irish estate and his proposed tenants—an influence so strong as to govern the actions of the landlord, even to the extent of inducing him to submit to personal loss—and that influence was political. The landlord required political power over his tenants; and as permission to them to hold their land upon certain tenures would destroy that political power, landlords preferred to let at a lower rent from year to year rather than at higher rents on lease. He (Mr. O'Beirne) found this state of feeling so ably described in a letter which the hon. Member for Longford (Mr. O'Reilly) had some months since addressed to *The Times* on the subject, that he would read an extract from that letter to the House, as he believed it was of great moment that English Members should thoroughly understand the question to enable them to deal, as he (Mr. O'Beirne) knew they were disposed to do, justly with the Bill before them. The hon. Gentleman then read the following extract from Mr. O'Reilly's letter:—

> "Lord Dufferin and all other authorities point out that agreements for the occupation of land for some fixed term, in other words, some sort of leases, are essential for the good cultivation of land; and they urge that self-interest will induce a landlord to make such an agreement with a tenant. And so it would had not the law again interfered. The law attaches the suffrage to the occupation of land, and thereby introduces a new and artificial interest for the landlord, who wishes to influence his tenant's vote, and believes he can do this by not making any clear permanent contract with him, but keeping him a tenant at will. His interest under the free action of those economic laws on which we are told to rely would induce him to give a lease, but the artificial interest which legislation has created neutralizes the action of those laws."

The true state of feeling was to be found in that extract; it was put forcibly, but most clearly, and in no respect whatever was it over coloured. He (Mr. O'Beirne) fully admitted—and he hoped he might be understood in that sense—he fully admitted that there were very many highly honourable, fair and liberal minded landlords in Ireland; for such men no special legislation was required, but as there were others who took a different view of their rights, who were unfair in their dealings and oppressive to their tenantry, the intervention of the House was necessary to arrest injustice, and to protect those who, from surrounding circumstances, were unable to protect themselves. He had now, he hoped, explained to the hon. Member for Bury the broad differences which existed between the two countries—a state of things which he (Mr. O'Beirne) deeply lamented, but which the hon. Member would see stood in the way of taking the course which he had suggested. He now desired, however, to set himself right with the House upon a matter which was of a somewhat personal nature. Upon the introduction by the noble Lord (Lord Naas) of his Land Bill some months since, he (Mr. O'Beirne) read an extract from the *Northern Whig* newspaper, a publication of high position in the north of Ireland, which purported to give an account of conduct of a harsh and oppressive character on the part of a landlord to his tenants in the county of Down, and he (Mr. O'Beirne) quoted that case as a proof, if it were true, and an eloquent one, of the great injustice which the present state of the law permitted, if landlords chose to exercise their full power under it. An estate had been sold under the Landed Estates Court Act. It was purchased by a commercial gentleman living in or connected with Belfast. The tenants upon this estate were yearly tenants; they had occupied their farms for generations—it might be said for more than a century; they had expended labour of course to a great extent, and money, also had built houses, put up fences, made roads, and, in fact, had, by their industry, largely raised the value of their holdings. The property was sold upon a rental under the Landed Estates Court, which rental fully set forth the rents paid by each tenant. Well, what happened according to the paragraph in the *Northern Whig?* Why, the purchaser, as soon as he came into possession, demanded a large increase of rent from every tenant—a rent equal to the then full value of their holdings. The tenants remonstrated, but in vain—they were told they must pay the increased rent or leave their holdings. In reading this paragraph —he (Mr. O'Beirne) named no name; but since then a letter had appeared in the same newspaper signed "John Finley," in which he accepted the character of the landlord alluded to, and asserted that the increased rent he demanded amounted to no more than 6*s.* 9*d.* an acre, and he expressed great indignation against him (Mr. O'Beirne) for the statements he had made. Now, he (Mr. O'Beirne) had obtained some of the notices to quit, and he found that in every case Mr. Finley had demanded an increase of rent greatly exceeding 6*s.* 9*d.* an acre. He (Mr. O'Beirne) did did not deny the strict legality of those proceedings, but he had cited the case as well illustrating the results of the present state of the law. This being the state of the law, his hon. and learned Friend, by the Bill before the House, proposed to remedy it. He proposed to apply a persuasive power to landlords. He desired to discourage such tenures as these. He desired to do so in the mildest manner. He (Mr. O'Beirne) hoped the House would allow the Bill to be read a second time. It was an experiment which did not certainly go very far; but it might give such fruit, even as the result of its moderate character, as would justify the House in taking a much larger step in the same direction in another session. It was not suggested as a perfect remedy, but rather as a wholesome check, and one which could be most safely tried without the possibility of bringing injury to any class. Any details of the Bill which might seem objectionable could be easily altered upon fair and temperate discussion between both sides of the House in Committee; and he (Mr. O'Beirne) had no doubt that the result of such a measure becoming law would be a highly beneficial one to both landlord and tenant. He therefore gave his warmest support to the Bill, which he hoped the House would read a second time.

SIR JOHN GRAY said, he should vote for the second reading of this measure, not as a satisfactory settlement of this question, but as a step in the right direction. As he understood the hon. Baronet who moved the Amendment to the second reading, his great objection to the Bill was that it did not go to the root of the question, because it did not give compulsory powers which would meet the just demands of the tenantry of Ireland. He (Sir John Gray) was quite willing to add a compulsory clause as was suggested by the hon. Baronet the Member for Coleraine. Some loose words had no doubt been used by the advocates of tenant-right, and these had been taken advantage of to say that the friends of the tenant farmers of Ireland entertained communistic and revolutionary views. But he (Sir John Gray) denied the existence of any communistic views on the part of the Irish tenants, all they wanted was a more secure tenure for their holdings, and protection for their property invested in improving the land. Mr. Caird, one of the best practical agriculturists of the day, had been sent out by the leading organ in this country to inquire into the agricultural relations between landlord and tenant, and their operation upon the tenants themselves. His report was sent to *The Times*, and was published for the information of the world. Mr. Caird, who also obtained the sanction of the late Sir Robert Peel for his mission, published, amongst many illustrations of the prevailing rule, the details of farm lettings, showing the relations existing between the landlord and tenant upon the estate of the Duke of Bedford. On that estate it was the universal practice to put the farmhouse and farm buildings in a state of perfect repair. The drainage of the land was kept in perfect order; the farm steadings, fences, and gates were supplied and kept in repair; and the landlord made all the farm roads. That was the condition in which, as a rule, the English landlord offered a farm for the occupation of his tenant. In Ireland there was no farmhouse that the tenant could dwell in. There were no farm steadings to shelter his cattle, no drainage, and only such rude fences as one tenant handed down to another. The landlord made no roads upon the farm, but he offered the tenant the bare naked land, and charged as much rent for it as the English landlord charged for the farm in the condition he had described, and who, at his own cost, put the holding in a condition which enabled the tenant, without any expenditure of his own in the way of permanent improvements, to carry on the operations of agriculture in the most successful way. If things were managed in Ireland as in England, the Irish tenants would not have to come to that House for compensation, but they were managed very differently. Not only did the Irish landlord let his land entirely without improvements; but if the tenant improved, his improvements were confiscated by law, and he was left at the mercy of the landlord. What the Bill of his hon. and learned Friend sought was to give certainty of tenure to the tiller of the soil, and thus, in some measure, to extend to the other parts of Ireland the system of tenant-right which prevailed in the province of Ulster. The pride of the landholders of Ulster was that they did not hold their land by any tenure so vulgar as purchase, they held them by royal charter, and one of the conditions of their charters was, that the land should not be let to tenants at will, or on any uncertain tenure, but either in fee-farm or by long leases. In lieu of these long leases the habit grew up to give what is called "the Ulster tenant-right;" that is—the right of continued occupancy by custom, and the right to sell the "good-will" or occupancy to the best bidder, if an eligible tenant. The Irish Members had probably a right to conclude that the Bill of the noble Lord (Lord Naas) was not intended to pass this year; and he therefore trusted he would tell the House what the Government intended to do with regard to the tenant farmers of Ireland. The question of land tenure in Ireland was largely an English as well as an Irish question. The disturbances in Ireland were mainly caused by the relations existing between landlord and tenant. The landholders of Ireland numbered about 8,400 individuals. The number of occupying tenants had been variously stated. One version gave 608,000 as the number of separate holdings. Lord Dufferin maintained that a large number of these were duplicate or triplicate holdings, and gave it as his opinion that the number of agricultural farmers did not exceed 441,000. If they multiplied the nnmber of tenants by their families, that gave an aggregate of 2,250,000. What was the effect of maintaining this system, which benefited 8,400 landlords, upon the Imperial taxes? The people of this country were obliged to vote this year £800,000 to maintain the police force of Ireland, the chief purpose and object of which was to sustain the landed interest of Ireland. ["No, no!"] Were not most of the coercive laws that had been passed required in consequence of the relations between landlord and tenant in Ireland? Parliament had been obliged to suspend the Constitution again and again, to enact special laws of repression, and maintain a special system of police—a little army of themselves—in order to keep down agrarian disturbances. In 1846, when the Corn Laws were repealed, Sir Robert Peel relieved the landlords from the expense of maintaining the police, and transferred the expense to the Imperial Treasury. His acquaintance with Ireland showed him that the Fenian movement might be traced to some extent to the relations between landlord and tenant. ["No, no!"] Was it not true that Mr. Butt, late a Member of that House and recently the legal advocate of the Fenians, had showed that Fenianism arose out of the land tenure grievances? An hon. Gentleman had reminded them of the expenses of the standing army, but he (Sir John Gray) could not bring them into his argument, because the army must be kept somewhere—in Ireland or in this country. The only objections he had to the provisions of the measure was that it did not go far enough. There was no provision for protecting by compensatory clauses the property of the tenant, and this he considered a great defect. He hoped that before the debate closed the House would have a distinct statement from the Government that it was intended by them to grapple with the causes of disaffection which existed in Ireland; and he further hoped that the provisions of this Bill would be made to extend those customs which existed between the Protestant landlords and their Protestant tenants in the North of Ireland, to the landlords and those Roman Catholic tenants who were to be found in the West, East, and South of Ireland.

Lord CLAUD HAMILTON said, that if he wished to account for the miseries of Ireland he should invite attention to such speeches as that of the hon. Member who had spoken last, and also ask the House to consider that hon. Gentleman's political antecedents. That unfortunate country had suffered much from the hon. Member's proceedings. The hon. Gentleman declared that the want of legislation touching the relations of landlord and tenant was the cause of Fenianism, and he wished the House to believe that the great mass of the Irish farmers were connected with that treasonable movement which was hatched in America. It was difficult for him to state in Parliamentary language how complete a misrepresentation was made by the hon. Gentleman of the true state of the case. In the name of the vast majority of the tenant farmers of all classes and creeds in Ireland he most distinctly and emphatically denied the truth of the imputation thus thrown out, and regarded it as a most unworthy libel upon a body of his countrymen, who had shown their morality, their loyalty, and their sense of religion by wholly abstaining from having anything to do with that unprincipled and infamous conspiracy, and who only wished to be allowed to carry on their peaceful avocations undisturbed by the machinations of foreign emissaries. The hon. Gentleman had also spoken of Ireland as being degraded by an enormous amount of crime; but that was another misrepresentation, because, as a matter of fact, crime in that country was considerably less prevalent than in England. If there had, indeed, been a state of agitation in Ireland, had the hon. Gentleman himself no hand in producing that lamentable state of things; had he not been for years mischievously employed in every agitation which could scare away capital, paralyze trade, and destroy commerce; had he not been an active advocate of that movement for the repeal of the Union which every sensible man must have known to be a delusion—a delusion, however, which had been as profitable to those who promoted it as it had been ruinous to the country? The only part of the hon. Member's speech in which he could concur was his statement of the real nature of tenant-right in Ulster, and his correction of the erroneous idea commonly entertained on that point. In Ulster, the sum paid to the outgoing tenant represented as nearly as possible the sum he had himself paid when he entered upon his holding, and it merely recouped him that amount. The hon. Gentleman seemed to imagine, most mistakenly, that Protestant landlords treated their Roman Catholic tenants differently from their Protestant tenants; and he wished to coerce them by legislative enactment into dealing with their Roman Catholic tenantry in the South and West of Ireland in the same manner as was done in the North. But how could it be enacted that the landlord should pay the outgoing tenant in the South or West of Ireland what he had paid on coming in, seeing that in those parts of the country the tenant had paid nothing? The principle which regulated these matters in England and Scotland was that of mutual arrangement between the parties. In spirit, though not in the letter, the same principle was applicable to Ireland; and he denied that there were any artificial or legislative obstacles in existence in that country to prevent landlords and tenants from entering freely into voluntary arrangements with each other. It had been said that one reason why there was a difficulty in the making of such voluntary arrangements in Ireland was the enormous competition for land; and yet, most inconsistently with that assertion, it was also alleged, that owing to emigration and other causes, there were not enough people in that country to cultivate the soil properly. A lease might be a very good thing, and he did not wish to be understood as at all disparaging it; but if they insisted by Act of Parliament that every tenant should have a lease to-morrow, they would not necessarily promote the progress of agriculture. The real progress of agriculture in Ireland had commenced entirely since the system of long leases had been altered. Any system of leases which did not discriminate between the sober, industrious, prudent, and intelligent farmer and his neighbour. whose character was quite different, would be impolitic and mischievous. He warned the House against hastily assuming that any scheme advocated by popular demagogues would be a panacea for all the ills of Ireland. Prosperity could neither flow from declamation, however eloquent, nor from arbitrary proceedings for transferring the land of the country from one person to another. The men whose opinions on that question were really worth entertaining were good practical farmers and men of experience. One excellent feature of that measure which he regretted to find associated with so much that was objectionable, was the proposal that all the contracts entered into should not be verbal, but written.

MR. SERJEANT BARRY cordially supported the second reading of the Bill. He could not admit that no person was entitled to express an opinion upon the question of the land tenure unless he was practically acquainted with the subject as a landlord. In the course of a long professional career it had been his duty to make himself acquainted with the Irish land question, and he supported the second reading of this Bill, because he looked upon it as a not unimportant step towards the settlement of a question which, if not speedily and satisfactorily solved, threatened danger not only to the peace and prosperity of Ireland, but to the best interests of the Empire at large. He could not recommend that this measure should be left upon the table, as a suggestion to the Government, because, in his opinion, all hope of a settlement of the question by the Government was at an end. No measure could satisfactorily settle the Irish land question which did not confer upon the tenant security of tenure, and as the noble Lord, himself a landholder, admitted, fixity of tenure could be conferred without any interference with the legitimate rights of property. He also maintained that the agrarian disturbances which had from time to time broken out in Ireland resulted from the relations subsisting between landlord and tenant in that country, and quoted passages from a letter which he said was written in 1844, by the late Sir M. Barrington — a man intimately acquainted with the subject—to Sir Robert Peel, in which the writer stated that almost every one of the outrages which had taken place in Ireland was traceable to the system of forcibly evicting the peasantry from their holdings. He controverted the statement that Fenianism had no connection with the land question, asking whether the young men in towns who joined the movement were not the sons or nephews of the adjoining farmers; and whether the funds for its support had not come from the exiled Irish peasants? He, moreover, informed the House that the result of the inquiries which he had made among persons of all classes in the disaffected districts in Ireland had led him to the conclusion that the peasantry largely sympathized with the Fenians. It was, he knew, said that the movement was socialistic and infidel in its tendency, and, besides, that it was entirely of foreign growth. [Lord NAAS: "Hear, hear!"] But there were thousands of men in Ireland, natives of Ireland, and respectable, well conducted men, who, though they had not really committed themselves to the conspiracy, heartily sympathized in the movement, because, despairing of the aid of Parliament, they looked to a violent remedy of that kind for the grievances of which they complained. The circumstances of Ireland, with regard to the relations of landlord and tenant, were entirely different from those of England, and therefore exceptional legislation was necessary; and the whole of the question of land tenure as regarded Ireland was one mass of exceptional legislation. In England a tenant could not be evicted for non-payment of rent, unless there existed an agreement in writing; but, in Ireland, a tenant at will could be evicted, not only for non-payment of rent, but even for non-payment of rates. He supported the measure, because, although it was a small one, it would show to the tenants of Ireland that their interests were not altogether overlooked, and, instead of entertaining treasonable designs, they would be led to look with confidence to the action of the Legislature.

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON), while stating that he was not hostile to the granting of moderate leases in Ireland, and that no one was more opposed to the arbitrary eviction of tenants, which was, he believed, a thing of rare occurrence in that country, declared it to be his intention to support the Amendment. He objected to the Bill, he said, both for the sake of the landlord and that of the tenant.

It would, he thought, if passed into a law, be productive of much irritation, and he could see no good reason why landlords and tenants should not be allowed to make their own bargains, as in England. The only answer which was given to those who contended that they should, was that the competition for land in Ireland was so great that legislative interference between the owner and occupier was required. But how was that state of things to be remedied by compelling the landlords to grant leases for twenty-one years? Indeed, he should very much like to hear — without any affectation of ignorance on the point— what it was hon. Gentlemen opposite meant by the settlement of the land question in Ireland? The hon. and learned Gentleman the Member for Dungarvan had, in his opinion, made a speech which was of a very dangerous and communistic character. ["Oh, oh!"] It was a speech in favour of fixity of tenure; but the hon. and learned Gentleman did not inform the House whether he would confine his proposal on that head to a twenty-one years' lease or give a permanent right to the fee simple of the land to the tenant, subject to the payment of certain amounts by way of rent-charge. It was urged by those who supported the Bill that the people of Ireland were disloyal and discontented for two reasons — because of the position of the land question, and the maintenance of the Established Church. He, however, emphatically denied the assertions that the great mass of the Irish people were either disloyal or discontented. But even for argument sake, if he admitted they were, how, he asked, was a law obliging landlords to grant twenty-one years' leases to their tenants to make them loyal and well affected? He regretted, he might add, that the hon. and learned Gentleman had made the observations to which the House had just listened in reference to that most mischievous rebellion which had lately broken out in Ireland; and speaking from an experience which, owing to his official position, was still greater, perhaps, than that of the hon. and learned Gentleman, he could not subscribe to the truth of the assertion that the movement sprang out of either the land or the Church question in that country. What was called tenant-right had nothing whatever to do with the organization of the Fenian conspiracy, and it had never been put forward as a cause of it by any one of the Fenian leaders. The clauses contained in the first part of the Bill provided that in every case except one — where there was no written agreement between landlord and tenant — the law should presume that the contract amounted to a twenty-one years' lease. Consequently, if a tenant got into possession of land under an arrangement that he was to have a five years' lease, the man, if the agreement was not put in writing, would have the benefit of a twenty-one years' lease under the operation of the present Bill. Such a proposition was most extravagant and could not be tolerated for one moment. The only case in which such a construction of law was not to apply was that of a tenant over-holding after the expiration of his lease, unless left in undisturbed possession of his farm for two years after such expiration. The result would be that if a landlord allowed a tenant to hold over for two years, because he did not wish to turn him out immediately, or because he happened to be abroad, the tenant might turn round on him, and insist on holding on for twenty-one years. Now he (the Attorney General for Ireland) asked whether such a provision was consistent with either honesty or justice? The consequence of such an enactment would be that the moment a lease expired, the landlord would immediately serve a notice to quit on the tenant, and in that case the tenant was more likely to suffer than the landlord. With respect to terminating a tenantry from year to year of agricultural land, the law in England and Ireland, requiring a six-months' notice, was at present the same; but by the present Bill it was proposed to alter the law in Ireland, and to require a notice of twelve months. This was proposed to allow in certain cases the tenant to get the benefit of the crop he had sown. Surely, the tenant when he entered on occupation was aware of the terms on which he was to rent the land? And if he wished for any additional advantage he ought to have had the matter put down in writing. There were a variety of other petty annoyances proposed in the Bill in order to force landlords to give leases; but he was sure that the House would not sanction such a course of proceeding. One of the most strange enactments was that a tenant, in addition to compensation for his growing crops and unexhausted manure, should have compensation for any loss or injury he might sustain by being deprived of the possession of his land in case he should have been in possession for five years. He could not conceive that a more vague or extraordinary ground for compensation could be proposed, and he was sure that if such a provision were to become law, it would open a wide door for litigation. Again, it was proposed that all tenancies from year to year existing on the 1st of January, 1870, and created before the passing of the Bill, should be liable to all its extraordinary enactments. The effect of such a provision, if carried, would be that many notices to quit would be served before the arrival of the year 1870, and the Bill would not, in that way, operate for the benefit of the tenants. The fourth part of the Bill proposed to give leasing powers of a most extraordinary character; for it would enable a man who obtained another's estate by wrong to grant a lease of it for twenty-one years, which would be binding on the real owner, unless the latter, within the period of six months after recovering his estate should give notice that he would treat the tenant as a yearly tenant only. As he said before, the object of the Bill was to force landlords to grant leases; but he trusted that the House would not sanction this endeavour to do indirectly what was not attempted to be done directly, and that it would not allow the Bill to be read a second time.

MR. O'REILLY observed, that the object of the Bill was simply to promote in every way the certainty of contracts between landlords and tenants. That was the principle of the English law, and the law of every other country in the world. The noble Lord the Member for Tyrone, who opposed the Bill, did so because he said it was an attempt to regulate contracts. That was an expression which was liable to two explanations. One to regulate the terms of the contract, which this Bill did not do; and the other to regulate by law the form of the contract, which it did do, so as to make it clear; and, where these contracts had not been entered into, the object of the Bill was to let the law step in, and construe an uncertain contract favourably to the weaker party. The Attorney General for Ireland suggested that if a man came into a farm with a verbal agreement for a lease of five years, the tenure would by the present Bill be turned into a lease of twenty-one years. The short answer to that suggestion was that an educated man would get the agreement put into writing; and the Attorney General, moreover, forgot that the law at present is guilty of as gross an injustice, only in the reverse way—namely, against the tenant. The Attorney General also commented on the clause giving compensation for loss or injury by reason of an occupier being deprived of the possession of his land; but that provision was not of so very horrible a nature, and was really copied from the Railway Act. The universal sense of mankind was in favour of certainty of contracts. This certainty was obtained by their being put in writing, and the Bill proposed to carry this object out in respect to tenancies in Ireland. He was ready to admit that the cases of injustice and hardship arising from the uncertainty of tenure in Ireland were not common; but when one such case occurred, it had the effect of spreading widely a feeling of uneasiness, and of discouraging the proper cultivation of land in Ireland. It was very commonly asked, why should the Legislature interfere with contracts between landlords and tenants in Ireland? but it should be borne in mind that the Legislature, having attached the suffrage to the occupation of land, had given the landlords a direct interest to refuse leases, in order they might be able to influence the votes of their tenants. In a place near his county twenty-five notices to quit were served after a contested election; and, although the landlord denied that they were given from political feelings, he admitted that twenty-four out of the twenty-five tenants had voted against him. The Bill would tend to promote that certainty in contracts with regard to land which the law favoured in regard to other matters, and would not interfere in any way with the right of the landlord to fix the price at which he might be willing to let his land.

MR. READ thought that after the mild and reasonable Bill of the Secretary for Ireland, the Bill of the hon. Baronet was extraordinary and unreasonable. This Bill compelled landlords to grant long leases, or inflicted upon them certain pains and penalties. An erroneous notion prevailed as to the number of leases in England. In East Norfolk, with which he was connected, only one-fourth of the land was held under lease, the other three-fourths being held almost entirely by tenants-at-will, without any claim for compensation in respect of improvements which they effected. He held his land under six different owners, and had no lease and only one written agreement, while, in all cases, he was subject to six months' notice to quit. He did not say that was a pleasant situation in which to be placed. He would much rather have a lease—he had always upheld leases; but the absence of one did not prevent him effecting permanent improvements, and farming the land to the best of his knowledge and ability. He believed that the law in England and Ireland on the question of landlord and tenant was identical, or, if there was any difference, it was in favour of the tenant in Ireland. The landlords of England were, it was true, most kind and liberal to their tenants; but, at the same time, there were instances of injustice in England as well as in Ireland. They were, however, few. What did they do? The did not turn Fenians, there was no universal discontent; but they endeavoured to bring public opinion to bear on these exceptional cases of injustice, and asked the landlords not to let them occur again. A good deal had been said of the protection which covenants gave to the tenants; but, really, they were a protection to the landlord. In Ireland the incoming tenant who took a farm found nothing on it. The outgoing tenant could sell off his straw, hay, and manure at the full market value; but in England he was obliged to leave them on the farm for the benefit of the landlord or the incoming tenant, receiving only two-thirds of the value. He protested against the extension to other parts of Ireland of the Ulster tenant-right. Nothing was more injurious to the occupier of land than having to pay a certain sum on taking possession of a farm, not for improvements —of that he approved — but simply for goodwill. The sum thus paid in Ulster was frequently £10 per acre. That was just about the sum required to stock a farm. An Irish farmer, therefore, paid double, and got the same return for his £20 per acre that the English farmer expected for his £10 per acre. Ireland, which was naturally a pastoral country, was in the days of protection made a great corn and potato growing country. A market was reserved in England for its damp and inferior corn but, now, that market was open to all the world, the Irish had lost it. They found it more profitable to put their land in grass, and employ it in the production of cattle. Therefore, as a matter of course, the population which had been maintained by potatoes was no longer wanted, and he really thought that for simply pastoral purposes the population of Ireland was even now rather more than was required.

Mr. KENNEDY pointed out that there was a great difference between the mode of dealing with land in Ireland and England; in the latter country the landlords made all the improvements, but in Ireland the tenants were called upon to make them. He did not object to the second reading of the Bill; but what he desired was, that proprietary rights should be exercised in conjunction with the rights of the tenant, to obtain a living from the soil. There was no way of redressing the evils of Ireland so effectually as by granting long leases. Under the present system tenants had neither security of tenure, nor compensation for improvements when ejected. Legislation should be directed to encouraging the granting of leases. He was not an advocate for exceptional legislation for Ireland, unless when necessity required. Yet when there was a departure from the practice in England; and the State contributed from £600,000 to £800,000 a year, the entire cost of the Irish constabulary, kept up for sustaining class interests and landlord-made laws, ["No, no!"] he felt that that payment by the State might be made conditional on leases existing. Let the constabulary charges be paid by proprietors in those districts in which leases were not granted. It was the absence of leases that caused the necessity for the employment of so large an amount of constabulary. There was another mode of taxation — namely, the succession duty, which, if levied on a scale different from the present, would largely tend to encourage the granting of leases. Suppose every inheritor was dealt with as a stranger. Let all pay the 10 per cent succession duty where there was no lease. He would take all expenses possible off property, the owners of which performed their duties to the tenantry.

Mr. BRADY moved the adjournment of the debate. He believed that if the relations between landlord and tenant in Ireland were more assimilated to those of England it would be better for the country; but the misfortune was that it was always considered necessary to manage the estates by means of agents, which led to the commission of the greatest acts of injustice. The whole of Ireland did not produce within one-third of what it ought to do under the present mismanagement, owing to the carelessness of the landlords. In this manner the most serious evils were perpetuated, and the best interests of the country were endangered. This was a question in which the country at large was interested; and no Government would do its duty to the State if they did not try every means in their power to ameliorate the condition of the people in that country.

Sir COLMAN O'LOGHLEN explained that he had arranged with the noble Lord the Secretary for Ireland, who had been in the House all day, but had just left, that the division should not be taken to-night.

Mr. FORDYCE stated that a similar tenure was found in some parts of Scotland as existed in Ireland. The tenant who goes from year to year had to take in heather-ground and build his own house, yet he was liable to be turned out. He wanted to see the parts of this Bill relating to yearly tenancy applied to Scotland. He believed the other parts of the Bill would be useful for Ireland.

Debate *adjourned* till *To-morrow.*

OXFORD AND CAMBRIDGE UNIVERSITIES EDUCATION BILL.

Select Committee on the Oxford and Cambridge Universities Education Bill to consist of Twenty-one Members:—Committee *nominated:* —Mr. Ewart, Viscount Cranborne, Mr. Gladstone, Sir William Heathcote, Mr. Lowe, Mr. Selwyn, Mr. William Edward Forster, Mr. Liddell, Mr. Chichester Fortescue, Mr. Beresford Hope, Mr. Fawcett, Mr. Baillie Cochrane, Mr. Neate, Mr. Sclater-Booth, Mr. Goschen, Mr. Powell, Mr. Pollard-Urquhart, Mr. Wilbraham Egerton, Mr. Acland, Sir Michael Hicks-Beach, and Mr. Grant Duff:—Power to send for persons, papers, and records; Five to be the quorum.

ADMIRALTY COURT (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill to extend the jurisdiction, alter and amend the procedure and practice, and to regulate the establishment of the High Court of Admiralty in Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Lord Naas.

Bill *presented,* and read the first time. [Bill 209.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 27, 1867.

MINUTES.]—Public Bills—*First Reading*—Morro Velho Marriages * [182]; War Department Property Protection * (183); Linen and other Manufactures (Ireland) * (186).

Second Reading—Lunacy) Scotland) * (163).

Committee—Bridges (Ireland) * (164).

Report—Pier and Harbour Order Confirmation (No. 3) * (161); Bridges (Ireland) * (164).

Third Reading—Naval Stores * (160); Local Government Supplemental (No. 3) * (166), and *passed.*

RITUALISM—ROYAL COMMISSION.

OBSERVATIONS.

The Archbishop of CANTERBURY: My Lords, certain reports having appeared in the public prints respecting the proceedings of the Royal Commission appointed to inquire into the difference of Practise in the Conduct of Public Worship in Churches of the United Church of England and Ireland, I desire to assure your Lordships that these reports are entirely unauthorized, and, for the most part, totally devoid of truth. I may also mention that an understanding has been come to by the Members of that Commission, in the interests of the objects of the Commission, that no communication shall be made by Members of it to persons outside as to what passes at the meetings of the Commission.

ARMY TRANSPORT AND SUPPLY DEPARTMENTS. — OBSERVATIONS.

Earl DE GREY rose to call attention to the Report of the Committee on the Transport and Supply Departments of the Army; and to ask the Under Secretary of State for War, What course the Government intend to take with reference to the Recommendations of that Committee in favour of the consolidation of the administrative departments of the Army, and the establishment of a single Department of Control? Their Lordships would, no doubt, agree with him that the subject was one of great importance; but, in the remarks which he felt it his duty to address to the House, he should confine himself exclusively to the general principle on which the recommendations of the Committee were founded, and should not go into matters of mere detail. The general principle, then, on which the recommendations of the Committee were founded was that it was necessary to concentrate the various civil departments of the Army and to place them under the control of a single responsible head. In that principle he cordially concurred. In order to state the grounds on which he advocated this principle of central control it would be necessary for him to explain the present arrangements in regard to the civil departments of the army, and the circumstances under which those arrangements were made. At the present moment there several separate distinct civil branches of the army—namely the Barrack Service, the Commissariat Service, the Purveying Service, the Store Department, and the Transport Department, each of which was administered by its own independent head; and, although they were civil departments, were yet under military control. Their Lordships would remember that, at the beginning of the Crimean war, most of these civil departments did not exist at all. The Commissariat Department had had little or no experience of its duties in connection with an army; in the field, it having been at that time confined exclusively to its duties under the Treasury. The result was that from the very commencement of active operations, it proved unable to perform the services required of it; and their Lordships would remember the misery and distress that were caused to our troops in the Crimea from the inefficiency of that department. Under the pressure of active operations it was inevitable that other civil departments should be created, which were accordingly organized under the direction of the persons who were charged with the administration of the army. Of course, however, they were established in order to meet the exigencies of the moment, and the consequence was that although at the conclusion of the war we were more favourably situated in regard to the civil departments of the army than at its commencement, yet a great deal still remained to be done before these departments could be brought into an efficient and thoroughly satisfactory condition. Successive Secretaries of State had indeed given their attention to the subject; but, instead of regarding it as a whole, they had only dealt with particular departments. In the Report of the Committee would be found extracts from the evidence of his lamented Friend the late Lord Herbert, who had arrived at the conclusion that all these departments ought, as far as the War Office was concerned, to be united under one head, who should be an officer of the staff. Failure of health, followed by his lamented death, prevented his noble Friend from carrying out his plans, though he had obtained the sanction of the Treasury to a step in that direction. He had left the work to those who came after him. At a very early period after he (Earl de Grey) himself entered the War Office he became convinced that a closer union of those departments, and a revision of the system on which they discharged their functions, were necessary to their efficiency; and, when he became Secretary of State for War, he felt it his duty to turn his attention to the subject, and he gave it that careful consideration which a matter of such difficulty required when one desired to introduce a change. At the end of 1865 he prepared a scheme founded on precisely the same principles as those embodied in the Report of Lord Strathnairn's Committee; indeed, the Committee themselves most frankly declared that they had adopted the general principle laid down in his scheme. But it had not been his good fortune to be able to carry out his plan before he left the War Office, in consequence of the retirement of the Administration of which he was a member. But the Committee, although appointed for the consideration of a subordinate part of the question, discovered that the amalgamation of the several departments was of more pressing importance; and they obtained the permission of the then Secretary for War, (General Peel), to go into that question. That was the history of the question; and up to the present moment no step had actually been taken to bring about a re-construction of those departmemts. They continued to be separate departments, each under a distinct head, who commanded in time of peace, conducting the business of the department without communication with the other heads. He did not think it was necessary to trouble their Lordships with many observations to prove the disadvantages of such a system when they had before them the Report of the Committee. What they did find in that Report with regard to the civil administration of the War Office? There was the evidence of Captain Gordon, the principal Superintendent of Stores at Woolwich, an able officer, and a man who thoroughly understood the duties of his office. He stated that if there were a war to-morrow, the system would break down in a fortnight. Another distinguished witness told the Committee that he felt strongly the inadequacy of the arrangements in the Commissariat Department. He pointed out the great variety of duties which the Commissariat officers were called on to discharge—from those of military accountants to those of purveyors. He showed—and showed most clearly and obviously, the disadvantages of such a system—one under which a man, all of whose time was engaged in accounts, might be called upon to provide for an army in the field. He called the system one under which the Commissariat officer was a "Jack of all trades." With regard to the transport service, it was shown by the Report of the Committee that a part of the duty of the army in the field was determined and organized at home; but that, at present, there could scarcely be said to be any arrangement for the adequate performance of transport duties in the field. When the Committee desired to go into this part of the subject, a most distinguished and competent witness informed them that it would first of all be necessary to go into the much wider question of the general organization of the department, and this they were obliged to do. It was obvious, without any reference to the evidence, that these departments were frequently engaged in dealing with a business of a cognate character, and if they were combined he believed that the country would save considerable expense. One result of the present system was that there was a considerable quantity of needless stores. Each department contained, to a certain extent, its own stores and its own reserves; one department did not know what another possessed; and the consequence was a purchase of stores which would not be required if the departments were under one head. Again, there was a different system at home from that which prevailed abroad, and a different system in peace from that which was required in war. He knew that we could not expect a perfect similarity between the management of matters under such dissimilar circumstances; but it was important to bring all these arrangements as closely as possible under one uniform system. Under the present arrangements the duties of the Commissariat abroad were of a very different character from those of the Commissariat at home. It appeared to him that the last step which remained in the organization of the departments—namely, the placing them under one head, with a view to their greater efficiency—ought now to be taken. The separate efficiency of each department had already been greatly increased; all that was now required was that they should be combined. We had in favour of that measure the opinions of such men as Lord Strathnairn, Sir Hope Grant, Sir Henry Storks, Sir Charles Trevelyan, Dr. Sutherland, Captain Gordon, and other distinguished and experienced authorities. He quite agreed with the recommendations of the Committee as to officers in the lower ranks of these different branches. It would be highly undesirable that an officer should be taken from one department for which he was perfectly qualified, and set to discharge duties for which he was wholly unsuited; but, at the same time, there was an obvious advantage in placing all these officers upon the same footing, and in being able to transfer them, if necessary, from one department to another. He thought, therefore, that the lower ranks of the two departments should be kept distinct, and that only the upper ranks should be united. By the proposed change the accumulation of stores to an unnecessary amount would also be prevented. The heads of the Store Departments looked chiefly, and very naturally, to the efficiency of their own particular departments, without regard to any of the rest, and hence accumulations were unavoidable unless there existed some chief department continually to overlook and check their expenditure—and that not merely in a central office, but acting locally as well. It was not merely in the matter of stores that economy was to be anticipated from the establishment of this novel system. The Controller in each locality would be an officer of high rank; and would be charged not merely with the duty of checking the local expenditure, but also of seeing that the regulations were strictly enforced. His decisions, he believed, were likely to afford great satisfaction to officers of the army having claims upon the War Department, because they would be pronounced by a man having local knowledge. One thing, however, would be indispensable, if these Controllers were established, and that was that the regulations should be rendered clear and distinct, and made known to all who had to deal with the department. The regulations in existence a short time ago were of old date, and had been altered in various respects—sometimes in detail and sometimes in principle. To a great extent this had been effected by office rules and decisions which had never been promulgated, and were little known to the army. When in office he was deeply impressed with the belief that, as soon as these regulations in the modified form were collected and published, it would be found that many parts of the warrant required alteration; he was, consequently, glad to understand that the War Department had undertaken the revision of the terms of the warrant. He hoped the result would be to produce a body of financial regulations which would be made known to every officer of the army, and would be adhered to in all cases, but those where circumstances of a clearly exceptional character were shown. One consequence of the existence of this body of regulations would probably be that the financial appeals, which at present formed so large a share of the business of the War Department, would altogether cease. To a very large extent these appeals arose from a misunderstanding of the rules; and with regulations easily, intelligible, misconceptions would be got rid of, with a great amount of satisfaction to officers. With respect to the advantages which would arise in time of war from the adoption of the new system, he necessarily spoke with some diffidence, but it had in its favour the opinions of eminent military men. And it must be evident that scarcely any part of our military organization was more important than the re-organization of the administrative departments. However well commanded and however individually brave soldiers might be, it was impossible they could fight well unless they were well fed and supplied. The questions of Transport and Commissariat, therefore, lay at the very root of the effectiveness of an army: and as the Commander-in-Chief in future would have at his right hand the chief of his staff, combining the several combatant departments, so he would have on his left hand the Controller General combining the various administrative departments. By this means the last coping stone seemed in a fair way of being placed upon the system of military administration which had been gradually built up since the disasters of the Crimea. He entirely concurred in the suggestion that the different controllers should be placed under the orders of a Chief Controller in the War Department; but the system must be carried out completely, and not tentatively merely. He trusted the Government would not appoint a Chief Controller unless they intended to carry out the other parts of the scheme as well. They must be prepared to deal with questions locally as well as centrally; and with a view of avoiding difficulties he would suggest that the Chief Controller should not be taken from either of the existing departments, but should be a man of recognized ability, independent of both. He himself hoped that a question so important would receive the most serious consideration of Her Majesty's Government. Of course he had no expectation that the noble Earl opposite (the Earl of Longford) would be able to say that Sir John Pakington, who had but recently entered on the office of Secretary of State for War, had yet arrived at any definite conclusion upon all these points; but he wished to press upon the Government that they ought not to lose the opportunity for action afforded by this Report, and the amount of public attention which it had attracted. No doubt, a new Secretary of State would shrink from hastening to a decision on so important a question as this; but the present Secretary for War had the advantage of being acquainted with the deliberate opinion of his predecessors, and the impressions of the competent military men and civilians who had formed the Committee. Of course, any remedy for the evils complained of would interfere with vested interests; but the evils were of such magnitude that a Secretary of State should not refrain from attacking them on this account. He concluded by again expressing his earnest hope that the scheme recommended by the Committee would receive the speedy consideration of the Government, and asked, What course the Government intended taking with reference to it?

THE EARL OF LONGFORD said, that the answer to the noble Earl's Question would be, as he had anticipated, that the Report in question proposed such large changes in the War Office arrangements, and affected the interests of so many classes of officers, that the Secretary of State had found it necessary to refer the Report for the observations of those whose duties would be seriously influenced by it; when the Report of those gentlemen had been received — and it was expected shortly — he would give his best consideration to the whole subject. It would possibly be necessary, however, to refer the Report to the same Committee, or to a new Committee of officers, to obtain further opinions on some particular points. The consolidation to some extent of the different departments of the War Office had been more than once recommended and had been generally viewed with favour; but Sir John Pakington was not yet in a position at once to declare in favour of the adoption of this particular scheme; his opinion, however, tended in that direction. The noble Earl (Earl de Grey) had very truly said that the original constitution of the War Office was faulty. The organization of the separate departments had reproduced to some extent the inconveniences of the former military administration, which was scattered through different departments of the public service. The noble Earl found this to be the case during his experience at the War Office; and, although he had not time to complete his plans of Reform, the papers showed that the reforms which were in the mind of Lord Herbert were reviewed by the noble Earl, and reduced by him to such a shape that he was enabled to appoint Lord Strathnairn's Committee to consider and report upon them. The Treasury were cautious about accepting recommendations not exhibited in detail, which dealt with 580 officers, divided into four different classes, each constituted under different warrants, having different descriptions of service and different rates of pay and promotion. It was therefore suggested that the evidence and opinions of Officers in the different branches of the service should be taken, and hence the Report which was now before their Lordships, which contained a most valuable body of information. But even if the recommendations should be adopted as they stood, or in any similar shape, their Lordships would scarcely then have before them a complete military administration. By the original constitution of the War Office the military element was excluded from it to too great an extent, and under the present system the most important parts of military administration—the machinery of conveyance, the system of supply, the manufacture of materials, and other matters—were withdrawn in a great measure from the view of the military Commander-in-Chief and the military Staff; yet when, on an emergency, a military officer was sent into the field to command an army he found himself very often acting as a conveyer of troops, superintending commissariat arrangements, and acting as a diplomatist, besides performing many other offices with which at home he was totally disconnected. This state of things would probably be remedied by the appointment of a Controller, as recommended in this Report, who would assist the military commander with the universal knowledge expected of such an officer; but it would be well if military officers had during their service more opportunities of studying the machinery of the administration of the army. Great inconveniences had arisen from the scattered state of the military offices. A new War Office was a first requirement; the heads of departments were at present badly lodged, at a distance from each other, and at the same time very expensively; the rents and taxes paid for the various War Offices amounted to as much as £6,500, which if capitalized would produce an Office, where the business of the department could be done by fewer hands with better results, and would enable a more convenient administration altogether. The War Office and Parliament had been very sensible of the necessity of watching military administration; and in proof of their vigilance he mentioned that seventeen Royal Commissions, eighteen Select Committees of the House of Commons, nineteen Committees of officers within the War Office, besides thirty-five Committees of military officers, had considered points of policy with respect to the administration of the War Department—some of them involving large questions of policy—during the twelve years of its existence. No doubt every variety of opinion as to the wisdom of this last Report might be expected from those who were interested in the questions it raised; they would no doubt give excellent reasons why no liberties should be taken with their respective departments, although they would probably admit that others might be susceptible of improvement; but the Government had reason to hope that some arrangements might be entered into, which, if not perfect, would be a simplification of the present faulty system, and be also satisfactory to the army and the country.

THE DUKE OF CAMBRIDGE: My Lords, the subject brought forward by the noble Earl is one of such magnitude that I do not think it can be fully discussed in your Lordships' House or in the other House of Parliament. Of course the principle may be discussed by your Lordships; but the details cannot be discussed with advantage in either House. Your Lordships have just been told that a large number of Committees and Commissions have been appointed to consider this subject, and yet we are not much nearer the end we have in view than we were at the commencement of these enquiries. The main difficulty seems to be that we have to deal with a variety of departments, all of which have to be consulted in any change; and it is not always easy to get officers of departments to see the advantages which will accrue to the public from the information thus obtained. I cannot help thinking that the changes proposed may produce some beneficial results; and without committing myself by saying that I concur, or that I do not concur in the extended recommendations of the Committee I cannot but feel that great care and attention has been bestowed on the various subjects brought before the Committee, and that we are much indebted to those who have so ably conducted the inquiry, and for the full, valuable, and exhaustive Report they have presented. There is one point which I cannot help referring to. Most of the subjects under consideration are connected with the War Office, and are under the supervision of the Secretary of State for War, and it is for the Secretary of State, and not for me, to go into the details relating to these questions, and to decide what should be done. There is one question of much importance which I am glad to see referred to in the Report—I allude to the appointment of a Controller-in-Chief in connection with the Secretary of State's Office. I think that a Controller-in-Chief would be a valuable officer in the department of the Secretary of State for War, and to this recommendation of the Committee I give my assent; but whatever arrangements are made for the control of the department, either in the War Office or with an army in the field, I think the greatest care should be taken that the regulations under which the Controller acts are so clear and definite that he should on no account and under no circumstances override the power of the General Officer in charge of the army in the field. The fact is that the General Officer commanding in the field has an enormous responsibility resting upon him; and if that responsibility be checked and controlled by a civil officer having the management of some of the administrative departments of the army in the field, great difficulties will arise, great jealousies will be created, and great mischief will result. There is another point which I have to notice. I do not quite understand the proposal of the Committee with regard to transport. One of the difficulties experienced in the Crimea arose from the fact that at first we had no military transport at all; but now we have organized a system of military transport which no doubt in a time of war will swell to considerable proportions. It seems to me that it is intended to hand over the control of this large body to civil officers. If this be so I take exception to the proposal. I do not object to the Secretary of State having the management of what would properly belong to the Controller's department; but I do object to the Secretary of State having the management of men who are, to all intents and purposes, soldiers, and who if not subjected to army discipline would become a useless body. One further point to which I wish to allude is this, that indispensable as the services of such a body are in the field, there is no doubt that they must to a great extent be reduced in times of peace. As, therefore, on the return of peace, reduction is always the order of the day, it is not unreasonable that this department should be very limited in numbers, as at present, to meet the emergencies of the moment. A sudden expansion is always very difficult, and has proved our great drawback whenever we have had to take the field. I do not see how the control department would get over that difficulty, though the principles upon which it is proposed to create such a department seems to be sound and valuable.

Viscount HARDINGE said, he was perfectly willing to admit that we could not revert to the old system, which he believed had, in many respects, worked satisfactorily. That system broke down in the Crimea, because the authorities did not carry out the regulations of the Board of Ordnance as laid down in 1832; also because the Government of the day disbelieved utterly in the certainty of war. The consequence of the dissatisfaction experienced at the failure of the system, amalgamation of the different departments had been carried out; but it had been so carried in detail that it had resulted in great want of harmony of action. Still, from his own short experience of the War Department, he knew that it was a constant struggle between the heads of the different departments to get as much as possible from their respective branches, and that there was a great want of harmony and unity existing. The evidence given before the Committee fully proved that this was the case; and it was said, with truth, that, in consequence, disputes frequently occupied days instead of hours in the settlement. At Woolwich the stores were partly under the Director of Ordnance, and partly under the Military Store-keeper. This arrangement led to complications, and the greatest inconvenience to the public service was the result. He felt convinced that the Minister for War, whether a civilian, as Sir John Pakington was, or a military man, as was General Peel, had more work than he could get through. If a Chief Controller were appointed he would be the right-hand man of the Secretary for War, and would relieve the latter of a great deal of responsibility and unnecessary labour. He hoped, however, that the greatest possible attention would be paid to the remarks of His Royal Highness the Commander-in-Chief, for there could be no doubt that nothing could be worse than that the action of the officer in command should be hampered in any way by the conduct of any sub-controller. He had heard, for instance,—with what truth he did not know, as he was not behind the scenes—that Lord Raglan in the Crimean war had complained that his movements were hampered by the power exercised by Mr. Commissary Filder. He would not venture to give any opinion of his own upon the proposal to hand over the military stores to the custody of the Royal Artillery; but by those who objected to the proposal it was urged that it would be necessary, if the project were adopted, to support a double staff. The present arrangement was that the shot and shell, or other ammunition in the first and second line was under the charge of the officers of the Royal Artillery, whilst the stores at the base depôt were in the hands of the Military Store-keeper. This was the old system existing in the Peninsula, and one which had been sanctioned and approved of by the Duke of Wellington. Unless strong reasons were brought forward for making such a change, he was not disposed to advocate it. There could be no doubt that there was a great absence of harmony and unity in the present system, which, he feared, would cause it to break down in the field. All their Lordships would, he believed, concur in regretting that his gallant Friend General Peel, with his experience of the War Office, had not the power to carry out the details of these arrangements, and he sincerely trusted that his gallant Friend's successor in Parliament would seriously consider the propositions brought forward by the Committee.

LORD STRATHNAIRN: I trust that your Lordships will excuse my occupying your attention for a short time; but, as President of the Committee, whose Report now forms the subject of your Lordships' deliberation, it would not be fitting that I should be silent, that I should offer no explanations respecting their labours, matters of military organization, which, always difficult to be understood, are more especially so, when, as in the present case, they are connected with a double authority—the Secretary of State for War, and the Commander-in-Chief. The Committee of which I am President was set on foot by my noble Friend the late Secretary of State for War, in consequence of another and a previous Committee having reported their inability to settle the control and management, in other words, the organization of the Military Train, and of their having recommended that a special and fresh Committee should be assembled for that purpose. The first duty of the Committee was to examine the actual state of the Military Train. They found it inefficient for war. The carriage, whether for supply, or for the sick and wounded, was ill-devised and ill-constructed, and was unanimously condemned. The officering of the Train was on a false principle. It was more suited to the combatant branches, than to the laborious, homely, duties of military transport, the care and driving of waggons and horses, in short, the carrying service of the army. General McMurdo, late Director General of the Train, describes their faulty system in a lucid Report. It would not be fair to attribute this unfavourable state of the transport to existing causes; they must be traced to a characteristic indisposition of the nation for preparation for war, particularly its expense, although we are, generally ready to go to war for our own rights, and even sometimes for those of others. The chief element of preparation for war is transport; it is the legs and means of existence of an army. It is indispensable for an army, whether halted or in movement, and even if a railroad runs through the camp or line of operations. We go to war first and organize afterwards; often in distant scenes of operations, at times in the midst of war, and even in front of the enemy. It was so in Spain;

it was so in India; it was so in the Crimea. Despatches from Spain and from the Crimea, from generals illustrious by their deeds and character, shew how much they, their armies, and the interests of the country, suffered from want of preparation for war. The evident strategy in the Crimea was a turning movement to support the front attack on Sebastopol; and Lord Raglan, who combined great talent with great intrepidity, gave me a clever paper for submission to the French Commander-in-Chief, in which he pointed out the advantages of a turning movement. But how, my Lords, was it possible that an extensive flank movement could be effected when, for the first period of the campaign, the British army was without the power of movement, had no transport, and, for the latter part, the Military Train was in a constant but ineffectual attempt at existence, and at last broke down. India was all but lost in 1845—I say this on the authority of the Governor General at that time, Lord Hardinge, because the British army had no transport for the reserves of ammunition. If the Sikhs had fallen on us the following morning our position would have been more than critical. State papers were ordered to be burnt at Ferooz Shah, and there were other indications of an expected disaster. One of my greatest embarrassments during the Indian campaign was inefficient, unorganized transport from Bombay to the Jumna; bad carts, bad bullocks, and country drivers, who, night after night escaped into trackless jungle. Want of transport and supplies forced me to halt for eight days at Saugor. The delay enabled the enemy to complete the defences of Jhansi, which could not be breached, and to bring up 20,000 men who fell on my right flank and endeavoured to force me to give up the siege. When the Committee considered the system of control of the transport service they found that it would be for the good of the service that the other administrative services should be brought under the same control, because intimately connected with Supply and Transport and more or less so with each other. All these departments are under the War Office, and their duties bring them into constant relations at military stations with other—the troops and their commanders. But these relations are not defined by any rules or organization. The result is friction, I may say dissensions, amongst the departments themselves, and undefined, doubtful, subordination to the Commander-in-Chief. I need not dwell on the danger of undefined authority in the Commander-in-Chief at at any time, but particularly in operation in the field, and in troubled times; nor on the disadvantage of his time being taken up by arbitrating between contending departments, when it ought to be devoted exclusively to more important matters. Sir Duncan Cameron, when conducting the operations in New Zealand, was embarrassed with these departmental discussions. And in Ireland, where I certainly had other things to think of, I was embarrassed by the same causes. Once, it was a difference between medical men and the purveyor, as to cooks, each claiming an authority which I should not have thought any one would have ambitioned—the command and management of cooks. Another time, it was a voluminous correspondence, which lasted some months, about a charge which ought never to have been made against an escort of the 10th Hussars for the Prince of Wales, for a few shillings worth of light which they were obliged to have to enable them to turn out at night for His Royal Highness. These incidents are trifling, but they point to defective organization, and to more serious consequences in a campaign. I will cite a more important case, an instance of resistance on the part of a Military Store officer to the legitimate order of an officer in command. The officer commanding at a certain station in Ireland, which I may observe is, on account of its strategical importance, a key to the centre of that country, which it was the great object of the Fenians to get possession of, directed him to attend a Committee for the survey of artillery stores. The officer refused to do so on the plea that he was a War Office officer. So little was my own authority over the administrative departments defined by my instructions that I considered it more prudent to refer the matter home than to deal with it myself. The Store officer was severely reprimanded and removed. There can be no doubt that the officer behaved ill; but I share the opinion of an unquestionable authority, which I beg to quote, that he acted under the influence of undefined authority. Such a case might equally have occurred, and the consequences would have been serious, if, at a critical moment the Board had assembled for the issue of Snider rifles. These differences, detrimental to the public service, could not have occurred had an officer of high position and qualifications, representing the double authority of the War Office and the Commander-in-Chief, controlled the administrative department. The duty of the Controller is, that acting under the General Commanding, he should carry out all the War Office Regulations required for the service relating to the administrative departments: discipline being of the competency of the Adjutant General; strategical movements of that of the Quartermaster-General; a margin being left to the Controller to carry out any measure which the Commander-in-Chief, on his responsibility may consider necessary for the good of the service, or the success of an operation. I cannot give a better practical proof of the necessity of a Controller than by stating a recent fact. When a partial insurrectionary movement took place the other day in Ireland, I telegraphed to the War Office for a Controller, under the influence of the necessity of the assistance of an officer who would save me the delay and trouble of addressing separate orders, called for, the troops taking the field, to each of the administrative departments. I venture to notice one or two misapprehensions which have taken place respecting the Report of the Committee, simply because they may create erroneous impressions. One was that the Committee had ignored the Adjutant-General, the Quartermaster-General, and the Military Secretary. But I beg to say, that, so far from this being the case, the Committee in different parts of their proceedings, which could not have been read, have distinctly acknowledged the position and rights of these officers. Again, rather a vehement expression was applied to the proceedings and construction of the Committee. One was that they were "revolutionary," and that their construction had led them to act under a bias. But official extracts from the proceedings which I shall have the honour to read to you, my Lords, will enable you to judge whether their proceedings have not rather been safe and necessary ameliorations than revolutionary changes; and as regards their bias, I beg leave to say that the Committee having understood that an officer of very high position at the War Office, as well as talented and experienced, had expressed himself as much opposed to the views of the Committee and the principles on which they acted, the Committee at once requested the Secretary of State for War that this gentleman, who was the Accountant-General (Mr. Brown), might be added to their Committee in order that they might have the benefit of hearing and considering the reasons which had led him to form a different opinion from theirs. The result was perfectly satisfactory. Mr. Brown concurred in all the views of the Committee, as may be seen from the proceedings; and only differed from them on one point, a financial one of his speciality, the pay which the Committee proposed to assign to the officers of the new Department of Control, Mr. Brown, as he was perfectly entitled to do, recording his dissent on the face of the preceedings. As regards the construction of the Committee, there were, besides Mr. Brown, three Members of it who were not of the regular army—one in command of the Military Train, and two in high positions in the War Office.

THE EARL OF LONGFORD said, the illustrious Duke seemed to express alarm that if the proposed system of Control were adopted it would be found that the Controllers would control too much; but he (Earl Longford) had no doubt they would be able to find officers who would understand the instructructions they received, and assist, and not obstruct the military authorities.

MORRO VELHO MARRIAGES BILL [H.L.]

A Bill to legalize certain Marriages solemnized at Morro Velho in Brazil—Was *presented* by The Earl of BELMORE; read 1ª. (No. 182.)

WAR DEPARTMENT PROPERTY PROTECTION BILL [H.L.]

A Bill for the Protection of War Department Property—Was *presented* by The Lord SILCHESTER; read 1ª. (No. 183.)

House adjourned at Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 27, 1867.

MINUTES.]—SELECT COMMITTEE—On Ecclesiastical Titles and Roman Catholic Relief Acts *nominated.*

First Reading—Chatham and Sheerness Magistrate* [211]; County Courts Acts Amendment* [212]; Increase of the Episcopate* [213].

Second Reading—Edinburgh Provisional Order Confirmation * [205]; Contagious Diseases (Animals) * [196]; Dogs Regulation (Ireland) Act (1865) Amendment * [184].

Committee—Representation of the People [79] [R.P.]; Courts of Law Officers (Ireland) (*re-comm.*) * [178] [R.P.]; Public Records (Ireland) * (*re-comm.*) [185] [R.P]; Christ Church Ordinances (Oxford) * (*re-comm.*) [190].

Report—Christ Church Ordinances (Oxford) * (*re-comm.*) [190].

Third Reading—Vaccination [175]; Christ Church Ordinances (Oxford)* (*re-comm.*) [190]; Real Estate Charges Act Amendment * [181], and *passed.*

POSTAL—CONVEYANCE OF MAILS TO NASSAU, &c.—QUESTION.

MR. GRAVES said, he wished to ask the Secretary to the Treasury, If any arrangements have been made, or are in contemplation to be made, for the conveyance of Mails between the United Kingdom and Nassau, Bermuda, and the British North American Provinces, on the expiration of the present Contract in December next?

MR. HUNT said, in reply, that no such arrangement had yet been completed; but he believed arrangements of the nature referred to were in contemplation.

IRELAND—DEFENCE OF CONSTABULARY BARRACKS.—QUESTION.

MR. BAGWELL said, he wished to ask the Chief Secretary for Ireland, What are the intentions of Government as to the placing of the Constabulary Barracks in Ireland in a state of defence?

LORD NAAS replied, that the instructions which had been forwarded some weeks since to the Constabulary Officers had been withdrawn, and other instructions had just been issued to the County Inspectors directing them to confer with the proprietors of Police Barracks in each district, inviting their co-operation in taking steps to render those Barracks defensible which were capable of being made so. The Constabulary Barracks in most cases were rented by Government from year to year. The Barracks differed very much in size, form, and condition in different districts, and many were very unsuitable in every way. In cases, where it was impossible to put them into a defensible condition, the Inspectors were directed to ascertain whether better premises could not be obtained. The Government had been encouraged, in the course they had adopted, by having received assurances from some proprietors that they would co-operate in placing the Barracks in a more habitable and defensible condition.

ARMY — CONVEYANCE OF TROOPS FROM CHATHAM TO LIVERPOOL.

QUESTION.

COLONEL STUART KNOX said, that as Chatham was a large depôt, troops were constantly passing thence to Liverpool and other places in the North of England. There would not be the slightest difficulty in sending those troops to Liverpool without change of carriages; and thus a good deal of inconvenience and trouble would be saved, which would be particularly desirable in wet or very hot weather, and where women and children were concerned. He therefore begged to ask the Secretary of State for War, Whether it is the case that on the 11th and 12th instant, detachments of troops, *en route* to Liverpool from Chatham, were conveyed to the Great Northern Station, King's Cross, London, by the London, Chatham, and Dover Railway; that on their arrival at King's Cross they were marched, together with their baggage, to Euston Station, and sent on to Liverpool by the London and North-Western Railway; whether, if instead of marching to Euston Station, they had been forwarded to Liverpool from King's Cross by the Great Northern Railway, they would have performed the journey without change of carriage or transhipment of baggage for the same fares as by the London and North-Western Railway; and whether he does not think that such arrangements imposed upon the troops unnecessary trouble and inconvenience?

SIR JOHN PAKINGTON, in reply, said, he hoped his answer would show his hon. and gallant Friend that this was a case in which no very great inconvenience was involved. The facts had been correctly stated in the question, and it was also no doubt true that had the soldiers proceeded on from King's Cross, they would have performed the journey without change of carriages. There would, however, have been inconvenience in so doing, because arrangements had been made with the London and North-Western Company for the conveyance of the men; and if they had been sent by the Great Northern there would have been a loss in this respect, that the men would have travelled a greater number of miles, and would therefore have been entitled to a larger travelling allowance. He hoped his hon. and gallant Friend would not think it worth while to incur a heavier expense in order to save the men marching a distance of about half a mile or so from one station to the other.

IRELAND—CASE OF DENIS WALSH.

QUESTION.

Mr. MAGUIRE said, in the absence of his hon. Friend (Mr. Blake), he rose to ask the Chief Secretary for Ireland, Whether, as the Coroner's Jury impanelled to inquire into the cause of the death of Denis Walsh, killed on the 13th instant, at Waterford by one of the men composing a constabulary escort, did not arrive at a verdict, it is the intention of Government to direct an official inquiry to he held for the purpose of ascertaining whether the slaying of the said Denis Walsh was justifiable?

Lord NAAS said, in reply, that, in the case in question, a Coroner's inquest was the only legal inquiry that could take place. It was true that, in consequence of their disagreement, no verdict was returned by the Jury; but the Executive had no power to direct any special inquiry in the case. It was open to any one to lay any information before a magistrate; and if that were done the case would be dealt with in the ordinary course of law. No facts had been brought under the notice of the Government which would show that an inquiry into the conduct of the police on the occasion in question was necessary.

IRELAND—DISTRESS IN WEST GALWAY.

QUESTION.

Mr. GREGORY said, he wished to ask the Chief Secretary for Ireland, Whether the works sanctioned to alleviate the distress in West Galway have been begun; and if not, why not?

Lord NAAS said, in reply, that these were not, in the strict sense of the term relief works; but were ordinary fishery pier works, undertaken under the provisions of a statute. One had been commenced yesterday, and he was in great hopes that the works at Clifden Pier would soon be begun, and they would, by the employment given, relieve a considerable portion of the distress referred to by the hon. Member.

CASE OF THE PAUPER FROST.

QUESTION.

Sir JOHN SIMEON said, he wished to ask the Secretary to the Poor Law Board, Whether the attention of the Board has been called to the circumstances attending the death of a lunatic pauper named Frost, at Bristol; and whether an official inquiry into them has been or will be ordered?

Mr. SCLATER-BOOTH said, in reply, that it was the intention of the Poor Law Board to direct that an inquiry into the circumstances of the case should take place.

METROPOLIS—THE NEW COURTS OF JUSTICE.—QUESTION.

Mr. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether he will lay upon the table the Reports which have been made upon the Designs for the New Courts of Justice by the Professional Judges and others?

Mr. HUNT said, in reply, that those Reports had been made by the professional Gentlemen who had been employed by the Commissioners, and it would be entirely contrary to practice that communications of that description should be laid before Parliament previously to the Royal Commissioners thomselves having Reported to Her Majesty.

Mr. BENTINCK said, that, on the earliest possible day, he would move for the production of these documents.

ARMY—CAPTAIN JERVIS AND THE SIMLA COURT MARTIAL. — QUESTION.

Mr. BRETT said, he would beg to ask the Secretary of State for War, Whether he will undertake that, until the proceedings of the Simla Court Martial be laid before this House, the sentence of the Court Martial shall not be further carried into effect?

Sir JOHN PAKINGTON: I am sorry, Sir, that I am not able to return a favourable answer to the Question of my hon. and learned Friend. In the first place I think the course he has suggested is open to some objection in point of form; and further, as it is very unusual to submit proceedings of Courts Martial to the House of Commons, it is not my intention to lay a Copy of those Proceedings upon the table. The House will recollect that Captain Jervis was brought to trial upon two charges, the first being a charge by Sir William Mansfield, relating to the private affairs of Sir William Mansfield; and the second being a charge relating to acts of grave insubordination. The House is no doubt aware that upon the charge relating to Sir William Mansfield's affairs the Court Martial returned a verdict of acquittal; and that with respect to the charge of insubordination he was found guilty and sentenced to be dismissed the service, but with a recommendation to mercy. Sir William Mansfield altogether disregarded that recommendation, and the proceedings came home to this country; and when I had the honour of succeeding to the office which I now hold I found that question awaiting decision. I never heard the slightest imputation upon the perfect fairness and impartiality of that Court Martial, and I felt, after examining the case, that my proper course would be as nearly as I could to give effect to the finding of that Court. After much consideration the course which appeared to me to be the most strictly just and fair would be that, under the circumstances, Captain Jervis should leave the army, but that he should have the benefit of the recommendation to mercy by being allowed to sell his commission. But a difficulty here interposed, because Captain Jervis did not hold a commission in a purchase corps. He had been an officer in the Indian army, in which there was no purchase or sale. I therefore conferred with the Secretary of State for India, in order to ascertain by what course it would be possible for them to place Captain Jervis in a position as favourable as if he had been an officer in the Queen's regular service. The result wae that I received a communication from my right hon. Friend (Sir Stafford Northcote) to the effect that the Indian Government would be willing to pay Captain Jervis a sum equal to the value of his commission if he had been in the Queen's service. That decision will appear in the *Gazette* in the following words: "Dismissed from the service by sentence of a General Court Martial; but permitted, in consideration of the recommendation to mercy by the Court Martial, to receive a sum of money equivalent to the value of his commission." I hope my hon. and learned Friend and the House will perceive from this statement that I have had no desire to bear upon Captain Jervis with any undue severity.

Mr. BRETT said, he regretted, as a relative of Captain Jervis, that he could not consider the determination of the right hon. Gentleman satisfactory, and he therefore gave notice that, on the earliest day,

he should move that the proceedings of the Court Martial be laid upon the table of the House.

Mr. CRAWFORD said, he had to ask whether the people of India were to be taxed in order that justice might be done between Sir William Mansfield and Captain Jervis?

Sir STAFFORD NORTHCOTE said, it was the custom when officers in the Indian service were removed to grant them a subsistance allowance; and, under the peculiar circumstances of the present case, it appeared to the Government to be just that the customary subsistence allowance should be commuted into a capital sum.

REPRESENTATION OF THE PEOPLE—STATISTICS.

Mr. GLADSTONE said, he wished to put a Question to Mr. Chancellor of the Exchequer with reference to some points of the Reform Bill, on which he and others felt considerable difficulty. He alluded to the important Schedule for Redistribution which had been laid on the table by the right hon. Gentleman, and which required some supplementary information in regard to the new boroughs and division of counties. He (Mr. Gladston) had prepared a Motion for a Return of the estimated population, area, and rating of the new boroughs, and the division, of counties respectively proposed to be constituted. There were other particulars which might perhaps be given at once without delaying the business of the Committee. He wished further to put a question to the Law Officers of the Crown. A misapprehension on an important point had gone abroad, which appeared to be shared not only by individuals but also by local authorities. A local officer had informed an individual who paid 13*s.* 2*d.* a week for furnished lodgings that in consequence of that sum being paid as rent, and including furniture, he was not entitled to be put upon the register. He thought that must be a wrong impression, and he wished to give notice that, on a future occasion he would ask the Law Officers of the Crown, Whether in their judgment the occupier of furnished lodgings would be admissible to the franchise under the Reform Bill, provided they were of the clear annual value unfurnished of £10 and upwards?

THE CHANCELLOR OF THE EXCHEQUER: I have not much doubt myself on the subject; but, as the right hon. Gentleman has addressed his question to the Law Officers of the Crown, it may be more satisfactory to him that they should reply to it. With regard to the first question I was under the impression that there is a Return on the table of the House of the area and population of the new boroughs, and the divisions of counties. I will, however, take care that as much information as possible shall be laid on the table in proper time.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 25.]

Bill *considered* in Committee.

(In the Committee.)

Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of New Boroughs, and report if Enlargement necessary).

The last section of clause, relating to Enlargement of Boundaries, *struck out.*

MR. DARBY GRIFFITH said, this was a matter of considerable delicacy, and he was not as well satisfied with the change which had been made in the names of the Commissioners as the hon. Member for Birmingham (Mr. Bright) appeared to be. One of the new names introduced was that of a gentleman who was, in a Parliamentary sense, the nominee of the hon. Member for Birmingham on that occasion; and, for himself, he would have preferred that the names should have remained as they previously stood. It was most essential that the Commissioners, whoever they might be, should be free from all suspicion of partiality. With regard to the Assistant Commissioners, who were to be appointed by the Chief Commissioners, he thought it was desirable on grounds of public policy that election agents, who could not fairly be assumed to be impartial persons, politically speaking, should not be eligible for the office of Assistant Commissioners. He would, therefore, propose that no election agent who had acted in that capacity for any candidate since the passing of the Corrupt Practices Act of 1854, which was a kind of new charter of purity of election in this country, should be competent to serve as an Assistant Boundary Commissioner. The object of his Amendment was to prevent the Chief Commissioners from being subjected to disagreeable solicitations in respect to the patronage vested in them.

Amendment moved at end of clause to add—

"Provided that no Assistant Commissioner who shall be appointed under this Act shall be a person who may have acted as Election Agent, according to the provisions of the Corrupt Practices Prevention Act of 1854, and of the Act amending the same of 1863, for any candidate at any Parliamentary Election which may have taken place since the passing of the above-mentioned Corrupt Practices Prevention Act of 1854."—(*Mr. Darby Griffith.*)

MR. PAULL hoped the Committee would not consent to insert this proviso. A limitation of the discretion of the Commissioners would be a limitation of their responsibility, and what they should do was to throw upon the Commissioners all the responsibility they could. Some Members of the House were amongst the Commissioners, and they would be answerable to the House for the appointments they made. Moreover, by adopting the Amendment, the Commissioners might be deprived of the services of most useful men, who, having been engaged at elections, must possess valuable information with respect to the boundaries of boroughs, and the places it was proposed to include within them.

THE CHANCELLOR OF THE EXCHEQUER said, that if the appointment of the Assistant Commissioners were vested in the Government they certainly should not think of appointing election agents, and he had no reason to imagine the Chief Commissioners would act with less discretion in the matter. He apprehended that the persons whom they would nominate would be men of legal and scientific knowledge, and who, from their acquirements and position, would in all probability not be mixed up with election contests. Entertaining that view, and seeing that the Committee was acting on the principle of giving the Commissioners unlimited authority, save in so far as they would be controlled by the clause under discussion, he trusted his hon. Friend would not press his Amendment.

MR. DARBY GRIFFITH said, that what had fallen from the Chancellor of the Exchequer afforded the very best reason for accepting the Amendment. The right hon. Gentleman approved of the spirit and nature of the clause, yet he made a sentimental objection to it — on the ground that it would fetter the discretion of the Commissioners. The appointment of election agents to the office of Assistant Commissioners had received the condemnation of the Government, and yet they were asked to leave the Commissioners at liberty to appoint them. He declined to withdraw his Amendment.

Amendment *negatived.*

Mr. VANCE said, that in a former discussion a great deal had been said with reference to the adoption for Parliamentary purposes of the municipal boundaries of boroughs. He could see no reason why the Parliamentary borough should coincide with the municipal borough. The municipal boundary very often stopped short in the middle of a street, or took in one side of a street and not the other. The Parliamentary borough should, he submitted, include all houses that could, in the judgment of the Commissioners, properly be included. They might afterwards, if they thought proper, extend the municipal boundaries.

Mr. BRIGHT: I gave the notice of the Amendment to which the hon. Gentleman refers, and the right hon. Baronet the Member for Morpeth (Sir George Grey) proposed it, and the opinion I believe was expressed by the Chancellor of the Exchequer that it was not necessary to insert it. But the right hon. Gentleman went on to repeat a statement he made last year, which only shows how very little he knows sometimes, like the rest of us, about what he has been instructed to say. He referred to the borough of Rochdale, and said there was as large a population outside the boundary as within it. If he had said there was a larger population outside of the City of London than within it he would have said what was true; and so it is also with Rochdale. He has been misinformed, and has taken the whole parish of Rochdale for the town of Rochdale. The parish of Rochdale contains an area of 100 square miles—ten miles from north to south, and ten miles from east to west—and even a portion of it extends, if I am not mistaken, into the county of York. The population of this district amounts to 80,000 or 100,000; and the population of the borough or town amounts to 40,000 or 45,000. Therefore the argument of the right hon. Gentleman, from the circumstances of that town is entirely erroneous and has not a shadow of foundation. The right hon. Gentleman also said that no less than seven valleys run from the town. I have lived there all my life—except the time I spend in this House, which is a considerable portion of it—and I have not been able to make out more than two, or at the utmost, three valleys. The right hon. Gentleman's observations, geographically, and statistically, are wholly erroneous in respect to that town. It was to meet the case of towns similarly situated that I proposed that words should be inserted in the Bill providing that Parliamentary should have some reference to municipal boundaries. For I feel satisfied that great inconvenience arises in many instances from those boundaries being different; and it is, I think, of the greatest importance to the life of a constituency that its members should be able to act together, and that they should not be broken up into sections with no other connection save that of the Parliamentary franchise. I wish before I sit down, to put a question to the Chancellor of the Exchequer. The right hon. Gentleman has just stated that the present clause will give the Commissioners unlimited authority; and if that be so, the Government, I presume do not intend to issue to them specific instructions. If they do not, they cannot, of course, lay any such instructions on the table of the House. The right hon. Gentleman will perhaps be good enough to state how matters stand in that respect?

The CHANCELLOR of the EXCHEQUER: I thought I had stated the point so clearly and in a House so full that there could have been no doubt. I stated that the powers of the Commissioners would be statutory; and that it is not within the province of Government to give instructions beyond the statute.

Clause, as amended, *agreed to.*

The CHANCELLOR of the EXCHEQUER proposed the following new Clause in lieu of Clause 37:—

(Members not to vacate their seats on transfer to another office.)

"Whereas it is expedient to amend the Law relating to offices of profit, the acceptance of which from the Crown vacates the seats of Members accepting the same, but does not render them incapable of being re-elected: Be it Enacted, That where a person has been returned as a Member to serve in Parliament since the acceptance by him from the Crown of any such office of profit as aforesaid, the subsequent acceptance by him from the Crown of any other such office or offices, in lieu of, and in immediate succession the one to the other, shall not vacate his seat."

MR. AYRTON feared that the clause would operate more extensively than was intended, and include some ancient offices, which any Member of the House, not being a Member of the Government, might hold—such offices for instance, as that of Recorder. He suggested that the offices to which the Clause would apply should be named in a Schedule to the Bill.

THE SOLICITOR GENERAL agreed in thinking that it would be advisable to name the offices in a Schedule to the Bill.

SIR ROUNDELL PALMER suggested that the case of a Lord of the Treasury, who afterwards became a Secretary of State, should be omitted.

MR. HENLEY said, that seeing the general assent which the principle of the clause received the other night, he was now unwilling almost to say a word about it, further than to protest against the proposed change. He thought that, if ever there was a time when they might have some doubt with respect to the proposal before the Committee, the present Session was that time. He quite admitted that, in a change of office among Members of the Government there might, at times, be some personal inconvenience to the individuals in being obliged to go before their constituents, and some trifling inconvenience to the country in their temporary absence from their duties in that House. But what had happened in the present year? A very important division of opinion took place among the Members of the Government, and no less than three Secretaries of State quitted office, and three right hon. Gentlemen were appointed to succeed them. Was it not, he asked, an enormous advantage to the Government that such Members of the Government as then took new offices and vacated their seats, could go before their constituents and ascertain what was the opinion of the country in respect to their conduct? One of these Gentlemen went to a great county, another to one of the Universities—one of the very best constituencies in the country—and another to a borough of moderate size. They were all re-elected. Had there been any feeling in the country hostile to what the Government were about to do, an opportunity would have been afforded for its expression; and if, by the re-election of the Members whose seats had been vacated by their acceptance of office under the Government, the acquiescence of the country in the course they were taking was signified, that was an advantage to the Executive which no other circumstance could give them. The opportunity which constituencies now had of expressing their opinion as to the course being pursued by a Government was an advantage the loss of which was not to be compensated for by the small personal benefit which this clause would confer.

VISCOUNT CRANBORNE said, he could not allow the assumption of his right hon. Friend, that the formal re-election of Members of a Government under such circumstances, amounted to approval of the policy of the Government, to pass unnoticed. In all constituencies it was the almost universal practice to pay that courtesy to their representatives that when they changed from one office to another no obstacle should be opposed to their re-election. He could not remember any case in which a Member had been unseated on such an occasion; but he thought the existing provisions of the law were useless for any good purpose. The only effect of the practice was to cause considerable inconvenience to the Government and considerable expense to Members changing office.

MR. GLADSTONE said, that, after giving all due weight to the objections of the right hon. Gentleman the Member for Oxfordshire, he had come to the same conclusion as the noble Lord, though not exactly on the same grounds. He did not think it a safe assumption that, on all occasions, when a Minister or a Member of the Government was about to change his office, he might reckon on the courtesy and forbearance of his constituents to such an extent as to be sure of his re-election. He had himself some experience in that matter. He had never lost his seat on such an occasion; but he had been rather near it—nearer it than was altogether agreeable—and he had been under a fourteen days' poll before he could recover his seat as Chancellor of the Exchequer in Lord Aberdeen's Government. [VISCOUNT CRANBORNE: That was not a case of transfer of office.] He did not think that any more courtesy or forbearance obtained in cases of transfer of offices than in cases of original appointment to offices. The present state of the law, however, rather restrained Her Majesty in the choice of her servants. If they observed the anatomy of any Administration, where there was any serious dislocation of Government, it would always be found that transfers took place in reference, in a considerable degree, to the seats that could be most easily held. He had not a word to say against the competency or the eligibility of the right hon. Gentlemen who accepted the three Secretaryships when the noble Lord and his Friends retired from the Cabinet; it was quite evident that, in addition to their other qualifications and felicities, they enjoyed the felicity that they were in possession of eminently safe seats. No doubt on particular occasions, though certainly not in any of those three to which reference had been made, cases would occur where appointments which the public expected did not take place, and when other arrangements were made at the public expense, the reason suggested was that the seat of the best man for the appointment would have been contested, and perhaps lost. That was a very serious inconvenience; and, upon the whole, after weighing the very small amount and value of this constitutional privilege on the one hand, and the not inconsiderable impediment to public business, and the restriction placed on the choice of the best man for filling a particular office on the other, he was prepared to support the Government in this clause.

Mr. HENLEY said, he did not mean to convey that, in the re-election of a Member on changing office, what took place amounted to approbation of the policy of the Government; but that constituencies had the opportunity, if they thought fit, of showing their disapprobation.

Mr. Serjeant GASELEE agreed with the right hon. Member for Oxfordshire, that the Committee ought not to pass the clause, which he looked upon as getting in the thin end of the wedge. An expiring Parliament ought to be cautious how they contracted the constitutional rights of the constituencies; and, therefore, he thought it would be better to leave these questions to be dealt with by the Reformed Houuse, If the right hon. Gentleman divided against the clause he would support him.

Mr. OSBORNE said he was sorry to hear that the learned Serjeant considered this an expiring Parliament, because he had concluded his arrangements not to go to his constituents for the next two years. He hoped the House would not be influenced by what the learned Serjeant had said, either about "the thin end of the wedge," the meaning of which he did not very well understand, or about the expiring Parliament. He rather thought the right hon. Gentleman (Mr. Henley) had misconceived the effect of the clause. Although the officials transferred would not go to their constituencies, those who took their offices would; and, therefore, there would still be an opportunity for the expression of public opinion with reference to the Government, It was all very well to talk about the rights of the people being outraged; they understood all that sort of thing. He trusted the right hon. Member for Oxfordshire would not put his follower to the trouble of a division.

Mr. DARBY GRIFFITH observed that they were about to deprive constituencies of a right which they had long held, and he was sure the public were not aware what they were doing. He trusted that when the Schedule appeared only those offices would appear which were ordinarily denominated as Cabinet Ministers, and that a young man would not be enabled to pass from the office of a Lord of the Treasury to the highest position without having to go before his constituents. Official people on both sides had a personal interest in the matter. He should oppose the clause.

Clause amended, and *ordered* to stand part of the Bill. A Schedule to be framed (G).

Clause A (Provision for increased polling places).

The CHANCELLOR of the EXCHEQUER moved the insertion of the following new Clause:—

In every County the justices of the peace having jurisdiction therein, or in the larger part thereof, assembled at the first court of general or quarter sessions held after the passing of this Act, or at some adjournment thereof, or at some subsequent court to be held as soon as may be after such first court, shall divide such County into polling districts and assign to each district a polling place in such manner as to enable each voter so far as practicable to have a polling place within a convenient distance of his residence, and the justices shall, advertise in such manner as they think fit a description of the polling districts so constituted by them, and the names of the polling places assigned to each district; but nothing herein contained shall affect the powers conferred by any other Act of Parliament of altering polling places or polling districts, or of creating additional polling places or districts:

Where any Borough contains more than five hundred electors, the local authority shall, as soon as may be after the passing of this Act, divide such Borough into polling districts, having regard as far as convenience will permit, to making each separate ward, parish, or township, a separate polling district; and the returning officer shall in the case of a contested election provide at least one booth or room for taking the poll in each polling district:

The list of voters in each Borough shall be made out by the town clerk in such manner as to correspond with the division of the Borough into polling districts:

A description of the polling districts made in pursuance of this Act shall be advertised by the local authority in such manner as they think fit, and notice of the situation of the polling booth for each district shall be given in manner now required by law:

The local authority shall mean in any Borough subject to the jurisdiction of the Act of the Session of the fifth and sixth years of King William, chapter seventy-six, the council of the Borough, and in any other case the returning officer:

The local authority may from time to time alter any districts made by them under this Act, —(*Mr. Chancellor of the Exchequer,*)

—*brought up*, and read the first time.

On Motion that the clause be now read the second time,

MR. NEWDEGATE said, that every polling place entailed a great increase of expense, and he hoped that if they largely increased the number of polling places they would provide that a large part of the expense should be paid out of the county or borough rate. There should also be a further provision to meet the case of a person who had no chance of getting nominated, coming forward for the purpose of annoying the real candidate and putting him to expense. He thought that the provision should be that any candidate who proceeded to certain extent should be required to give security for the expenses to be incurred.

VISCOUNT CRANBORNE said, that as the House had refused to sanction the use of voting papers, all they had to do was to try to make the consequent inconvenience as slight as possible. Whatever they did would cause a certain degree of inconvenience; but it seemed to him that the worst danger was that a certain portion of the county population should be virtually disfranchised. Those who lived in parts of the county which were sparsely populated had just as much right to vote as those who lived in parts which were more thickly peopled; and it was the first duty of the Committee to take care that the mere question of distance and expense should not prevent such electors from voting. In the absence of voting papers there were various other ways of meeting the evil. They could allow the candidate to pay for bringing the voters to the poll —which was the worst way, because it would be sure to lead to illegitimate expense; or they could set up polling places near the voters and make the candidate pay the expense. In the event of the latter course being adopted, he thought that a part of the expense should be thrown upon the county rate. But then the Justices of the Peace were to appoint the polling places; but he feared that, if the county had to pay, they would appoint as few as possible. He thought that the House should fix the maximum distance at which polling places should be apart.

MR. LIDDELL asked the Committee to pause. They were about to save their own pockets at the expense of the ratepayers. He had a great objection to increasing the county rate, which had been of late largely increased, if any other mode of effecting the object in view could be shown.

MR. BRADY said, that a multiplicity of polling places would greatly increase the expense of elections. Again, if the polling places were fixed in thinly populated places, where there was no popular opinion to control the proceedings, the landlords would have their tenants more under their control.

MR. PAULL asked whether it was necessary that the clause should apply to boroughs. As the law stood at present the local authorities might have as many polling places as they liked throughout the borough; but if this clause passed they would be obliged where there were more than 500 electors to divide the borough into districts, which, in many instances, would add much to the inconvenience and expense of candidates. In many cases it was much more convenient for the voters to come into the borough to vote than to go to a district polling place.

MR. HIBBERT said, that the local authorities had no power to interfere with the polling booths; that was a question for the returning officer. He thought the dividing the boroughs into districts would be an improvement in the law, and he should support the clause.

SIR JOHN TROLLOPE supported the clause as in accordance with the provision of the Act of 1832, which enabled the Justices to subdivide polling districts, and which had been frequently acted upon. The Justices were the best judges of what was necessary, and landlords had nothing to do with it.

SIR MATTHEW RIDLEY also approved the clause, stating that, in his county (Northumberland), the Justices some time ago appointed a committee for both divisions to consider an increase in the number of polling places. He served on those committees; and the result was that there were now fourteen polling places in one division and sixteen in the other, the principle being that voters should not have more than seven or eight miles to travel. It was only where railway communications existed that this distance was exceeded.

Mr. Alderman SALOMONS said, that, in many important boroughs, the returning officer made out the list of voters; and he wished to know whether the terms of this clause sufficiently met such a state of things?

The CHAIRMAN reminded the Committee that the only question now before them was that the clause be read a second time.

Viscount GALWAY remarked that his borough (East Retford) contained ninety parishes, and that if there were seventy or eighty polling places the expense would be serious. He hoped the clause would be permissive.

Mr. POWELL trusted that local authorities would have a sufficiently wide discretion, as a rule convenient for some boroughs would be inconvenient for others.

Mr. M'LAREN thought the clause as it stood excellent; but there was one point to which he desired to direct the attention of the Chancellor of the Exchequer. Nothing was known of the multitudes of working men who would come to the poll in the large towns. Upon a rough-and-ready calculation, he estimated that about one in eight of the population of great towns would be voters. In Glasgow there would, according to that calculation, be 50,000 voters; and if, a separate polling place had to be provided for every 500 of that number, there would have to beerected 100 polling places, the cost for each of which he put down at £40. If, therefore, the Committee should sanction the multiplication of polling places to such an extent, a vast expenditure must necessarily be incurred; and he would suggest to the Chancellor of the Exchequer whether it would not be desirable to open the polling places at an earlier hour in the morning than was the practice at present. If the polling places were opened at seven or even six o'clock in the morning, a great advantage would be derived therefrom by the working classes, who would generally poll before other classes were out of bed, while much of the pressure and tumult which took place at them would be got rid of. He thought that to keep the poll open to a late hour would be objectionable.

Motion *agreed to.*

Clause read the second time.

Lord HENLEY moved an Amendment providing that, as far as practicable, each voter should have a polling place at a distance not exceeding six miles from his residence. In his own county (Northampton) there was a considerable town sixteen miles distant from a polling place, which had occasioned considerable inconvenience.

Mr. HENLEY said, that some parts of the country were so thinly populated that there might be the greatest possible difficulty in carrying out the Amendment. It was also to be remembered that every additional place was a source of great additional expense, and that it was not always possible for the Sheriff to find persons fit to take the poll. They were usually engaged before the election on the one side or the other, and it was not very easy at present for the Sheriff to lay his hand upon persons whom he could trust. To multiply polling places unnecessarily was a great evil, and it would be wiser to leave the matter to the discretion of the local authorities.

Sir LAWRENCE PALK wished to point out how the Amendment would act in his county. A great many electors lived in the forest of Dartmoor, but at a distance from each other, and if there were to be a polling place every six miles there would be more polling clerks and agents than electors. He trusted that the Committee would not lay down the same law for populous and sparsely peopled districts. It would be much fairer to leave the magistrates of the county to fix the polling places at such distances as the wants of the various districts required.

Viscount CRANBORNE said, they ought to have the opinion of Her Majesty's Government on the subject. He feared that the Justices of the Peace, always having before them, under this Amendment, the alternative of inconvenience to such and such electors, or the imposition of more county rate upon themselves, might be suspected of preferring the former. If the Motion of the hon. Member for Brighton (Mr. Fawcett) were accepted, that would be a security against improper parsimony on the part of the Justices.

Mr. HENLEY said, he could not agree with the noble Lord. So far as his experience went, if the Legislature imposed a duty upon the Justices they would do it properly, without considering whether it would cost the county £40 more or less.

Amendment, by leave, *withdrawn.*

Mr. POWELL moved an Amendment in line 8 to omit "advertised in such a manner as they think fit," and to insert "cause to be published in *The London Gazette.*"

Mr. GATHORNE HARDY said, his hon. Friend must imagine that the voters were fond of rather heavy reading. He should have supposed that *The London Gazette* was the last place in which the electors would think of looking for announcements of polling places.

Mr. HENLEY thought that to advertise in *The London Gazette* would just be giving the public no information at all. All that they knew of *The London Gazette* was when the papers were kind enough to copy something from it. Every tinker and tailor, on the other hand, read the newspapers. And the expense of advertising in *The London Gazette* would be five or six times as much as advertising in journals that everybody read.

Amendment, by leave, *withdrawn.*

Mr. GOSCHEN proposed to add in line 12, after the word "district," the words "and all such powers shall be applicable to the divisions of counties established by this Act."

The ATTORNEY GENERAL thought the insertion of the words would be quite unnecessary; in fact, there might be some danger in it.

Sir ROUNDELL PALMER intimated that he had more doubt about the point than the Attorney General.

The ATTORNEY GENERAL said, that he would communicate with his hon. and learned Friend the Solicitor General, and, if necessary, the words could be inserted.

Amendment, by leave, *withdrawn.*

Mr. CHILDERS moved an Amendment to the second paragraph of the clause, to the effect that it should not be compulsory on the authorities to separate into different polling districts every parish or township containing more than 500 electors. He understood that the Government would assent to the Amendment.

Mr. AYRTON said, they ought to be guided in framing the clause a good deal by the consideration of who was to carry it into effect. In municipal boroughs there could be no difficulty in leaving the municipal council to divide the borough for electoral purposes; but when they came to the class of boroughs like those of the metropolis, in which there were no municipal councils, it would be unsatisfactory to place such a matter entirely at the mercy of a single individual—the returning officer—who was not amenable to public opinion, and who sometimes put candidates to great and needless expense. Such an individual ought not to be intrusted with these functions. It appeared to him that, where there were no municipal councils, the Justices having jurisdiction in the borough should have the power of performing these duties for the borough in the same way as the Justices were to do in the case of a county. They should be empowered, in general terms to fix convenient polling places.

Mr. GLADSTONE said, there was a difficulty in proposing, on the one hand, to give a discretion which was absolutely unlimited, and, on the other, to fix upon a quota of voters for each polling place. The element of numbers might be usefully introduced, as a limitation on the discretion of the returning officer, by giving a title to the candidates to require that polling places should be multiplied up to a certain number, dependent on the quota of electors for each. There was great force in what had fallen from the hon. Member for the Tower Hamlets with regard to the discretion resting wholly on the local authority and the expense resting wholly on the candidates. There was a great deal to be said in favour of dividing the expense between the candidate and the county or district. In that way an interest in checking expense would be created on the part of the locality.

Mr. CRAWFORD pointed out that there were now nineteen polling places in the City of London, whereas ninety-eight would be required if it became necessary to have one for each parish. No inconvenience was caused by the existing system, and he therefore deprecated any alteration of it.

Mr. MITFORD remarked, that in the borough which he represented (Midhurst) the same difficulty referred to by the last speaker would also arise.

Mr. STEPHEN CAVE said, that in the thinly-peopled country districts of agricultural boroughs, of which his own was an instance, separate polling places were required for fewer than 500 voters, otherwise the distance they would have to travel to the poll would be too great.

Viscount GALWAY hoped it would be left to the Justices at the quarter sessions to arrange the polling places according to their discretion.

Mr. CHILDERS agreed in the suggestion made by the hon. and learned Member for the Tower Hamlets.

Mr. PAULL thought that the clause ought to be a permissive one.

Mr. GATHORNE HARDY thought that it would be inexpedient that candidates should go to the municipal council immediately preceding an election and request them to establish certain polling districts. The discussion that had just taken place had brought before him many more difficulties than he had previously seen to be connected with that question. He believed, however, that the case would be best met by the adoption of the following words, which he wished to propose—namely—

> "That the Local Authority of every Borough shall, if they think Convenience requires it, as as soon as may be after the passing of this Act, divide such Borough into Polling Districts; and the Returning Officer shall, in the case of a contested Election, provide at least One Booth or Room for taking the Poll in each Polling District."

He was much disposed to agree with the hon. and learned Member for the Tower Hamlets, that, in places where there were no municipal councils, the returning officer should not be the person to make these arrangements; and, probably, in such cases the Justices in the petty sessional divisions would be the proper authorities for that purpose. He did not know whether that would exactly meet the requirements of the metropolis—[Mr. Ayrton: The justices acting within the division would do.]—but it would certainly meet those of places in the country.

Sir HARRY VERNEY thought the remarks of the Home Secretary as to the eve of an election not being the proper time for having these districts formed were marked by much good sense and justice.

Mr. Alderman SALOMONS approved the suggestion thrown out by the Home Secretary, and held that the arrangements for an election should be permanent and not dependent on the will of any returning officer.

Mr. HIBBERT signified his readiness to adopt the Amendment which the right hon. Gentleman the Secretary for the Home Department had suggested.

Mr. W. E. FORSTER asked who it was that the right hon. Gentleman proposed should constitute the local authority?

Mr. GATHORNE HARDY replied, that what was intended was that, where a municipal corporation existed, it should have the power of regulating the polling districts, even though the municipal should not be co-extensive with the Parliamentary boundaries. The borough Justices might act as the local authority in other cases, and where there were no such Justices, the Justices of the petty sessional division.

Mr. STEPHEN CAVE said, that large agricultural boroughs like his own contained several petty sessional divisions. In a Bill he had himself passed through the House some years before, he had placed the regulation of polling places for the scheduled boroughs in the hands of the Justices at quarter sessions. This worked well, and he thought therefore that Justices acting for the division of the county should be substituted.

The ATTORNEY GENERAL agreed to the suggestion.

Words *inserted* accordingly.

Amendment, as amended, *agreed to.*

Mr. HIBBERT moved to insert after the second paragraph of the clause, the words—

> "Where any Parish in a Borough is divided into or forms part of more than One Polling District, the Overseers shall, so far as practicable, make out the Lists of Voters in such manner as to divide the Names in conformity with each Polling District."

The CHANCELLOR of the EXCHEQUER said, it appeared to him that the suggestion of the hon Member for Oldham was a very proper one.

Amendment *agreed to.*

The SOLICITOR GENERAL moved the omission of the words—

> "The list of voters in each Borough shall be made out by the Town Clerk in such a manner as to correspond with the division of the Borough into polling districts"—

for the purpose of inserting words directing—

> "That the Town Clerk, as defined by the Act of the Sixth Victoria, cap. 18, shall cause the List of Voters in each Borough to be copied, printed, arranged, signed, and delivered in the manner directed by the said Act."

Motion *agreed to.*

MR. MONTAGU CHAMBERS said, that occasionally very great nonsense found its way into Acts of Parliament. He thought it would be better to define the words "town clerk" anew than to borrow a definition from another Act of Parliament.

THE SOLICITOR GENERAL maintained that the definition suggested by his hon. and learned Friend was not as appropriate as that contained in 6 *Vict.*, c. 18.

Words *inserted.*

THE ATTORNEY GENERAL, with the object of carrying out the suggestion of the Home Secretary, proposed the insertion of the words—

> "The local authority shall mean in every Municipal Borough, and in every Borough any part of which forms a municipal borough, the Town Council of such Borough; and in other Boroughs the Justices of the Peace acting for such Borough, or if there be no such Justices, then the Justices acting for the Division of the County in which such Borough or the greater part thereof is situate."

Words *inserted.*

Clause, as amended, *agreed to.*

MR. FAWCETT rose to move an addition to the clause providing that the expenses of elections for any county or borough should be defrayed from the local rates. He had noticed with satisfaction that the Government had provided that counties should bear a portion of the expenses incurred in connection with contested elections, and he could not understand what reasons had induced them to abstain from making a similar proposal with regard to boroughs. They had certainly recognized the principle he wished to enforce, that it was clearly the duty of the constituency to bear such expenses; and the importance of making the provision he sought for was enhanced by the nature of the measure the House was in the act of passing. Election expenses were not incurred by candidates in any other country, nor could our representative system work efficiently unless something were done to check their constant increase in this. He rejoiced, as he had always done, in the breadth of the Government measure as far as the extension of the suffrage was concerned; but he could not conceal his alarm at the prospect before them if the suffrage were extended, and the present system of conducting elections were continued; such a course would inevitably result in an increase of the expenditure at election contests. One main object of the present Bill was to secure a better representation of the working classes, who had not hitherto been efficiently represented in that House: and if they wished to represent a class effectually they must have men to speak for that class who had lived among them, who knew their aspirations, and who could tell their wants. But if the election expenses were increased, as he feared they would be by this extension of the suffrage, that House would become, even to a greater extent than now, purely a rich man's House, and no one would have the means of being heard here unless he could afford to squander so many hundreds or thousands of pounds. He was aware that his proposition would be objected to on the ground that it would increase the chance of election contests. As long as the candidates bore all the expenses of elections the constituencies had a direct interest in getting up contests; and it was well known that a considerable portion of the election contests were got up by attorneys and others whose interest it was that money should be squandered, more or less recklessly, and more or less corruptly. But if his proposal were adopted, the constituencies would, for their own sakes, endeavour to prevent any unnecessary expenditure. He was quite prepared to accept, as an addition to his proviso, a proposal of which the hon. Member for Middlesex (Mr. Labouchere) had given notice, to the effect that each candidate for a county should be obliged to deposit £100, and each candidate for a borough should be obliged to deposit £50, with the returning officer, towards the necessary expenses, and that any sum below that amount that might be expended should be returned to the candidate. In the clause just passed, which increased the number of polling places, he had an additional argument in favour of his clause, for it would greatly increase the expense of elections. He did not believe that the proposition would be objected to by the constituencies. On the contrary, while his clause had been on the paper for some two months, there had been a strong expression of opinion in its favour at public meetings, and he had received a great number of private communications in its favour. The slightest opposition to it had not been indicated anywhere. The charge would, he believed, be much less than might at first sight be imagined, for at present every district was interested in the lavish expenditure of money at elections, while the adoption of his proposal would create, everywhere, a desire for keeping election expenses within moderate limits. Those would be the direct advantages of the scheme; but its indirect advantages would be incomparably greater, because it would tend to create a high moral tone among electors, it would inspire them with a love of justice and a sense of self-respect and of respect for their representative; and it would in that way strike a more effectual blow at bribery and corruption than any law which Parliament could pass. He considered the proposal so important that he should certainly take the sense of the Committee upon it; and if it were adopted it would, he believed, be one of the most useful provisions which the House was enacting for the reform of our electoral system.

Amendment proposed,

At the end of the Clause, to add the words "at every Election for any County or Borough the expenses lawfully incurred by the Returning Officers for the provision of hustings, poll clerks, polling booths, or rooms, and any other necessary requisites for the conduct of the Election, shall be defrayed in the case of any County from the County Rate, and in the case of any Borough, out of the monies and in the manner and proportions mentioned in the Act of the sixth year of Victoria, chapter eighteen, section fifty-five, with respect to the expenses of carrying into effect the provisions of that Act; and the account of such expenses shall be made, allowed, and paid, in the manner provided in the said Act.—(*Mr. Fawcett.*)

Question proposed, "That those words be there added."

Mr. LABOUCHERE accordingly proposed an addition to the Amendment moved by the hon. Member for Brighton (Mr. Fawcett), to the effect that whoever demanded a poll should pay to the returning officer £100 in the case of counties, or £50 in the case of boroughs; and, if the sum so paid was found to be more than sufficient, the surplus should, after the election, be returned. He thought that such an Amendment would greatly limit the expenses of elections, and tend to keep out of the field men who, with no chance of election, and no intention of incurring any expenses themselves by their opposition, caused great and unnecessary expense to their opponents. He trusted, therefore, that the Committee would accede to his proposal.

Amendment proposed to the proposed Amendment,

To add the words "Provided that any elector who demanding a poll shall, before the nomination, pay to the Returning Officer, towards such expenses, one hundred pounds in the case of a County Election, and fifty pounds in the case of a Borough Election, and the Returning Officer shall account for and pay over all such monies to the treasurer of the county or borough rate, but if the amount so paid is more than sufficient to defray such expenses the surplus shall be returned to the person paying the same."—(*Mr. Labouchere.*)

Mr. HIBBERT said, he had no difficulty in supporting the proposition just made by the hon. Member for Brighton, because his own constituents had indirectly carried out the principle which that hon. Gentleman wished to establish. He (Mr. Hibbert) had gone through two severe election contests, and those who elected him would not allow him to pay a single farthing. Speaking generally, he did not think the ratepayers of the country would object to bear the slight addition to their rates which would result from the adoption of the clause, which at the same time was calculated to induce economy; for though, no doubt, in many cases the returning officer kept that object in view it was not so in all cases. He had looked into a Return that had been issued, specifying the expenses of the returning officers at the last general election, and although the total was not so large as might have been expected, it was worth noting the manner in which those expenses were distributed over the various counties and towns. In some towns the expenses only ranged from £30 to £70; but at Birkenhead they were as high as £600. The expenses of the returning officers in the whole of the counties in England and Wales, was £15,655; in Scotland, £939; and in Ireland, £2,239; being a total of £18,833. The expenses in the boroughs in England and Wales were £26,375; in Scotland, £1,206; and in Ireland, £1,004; being a total of £28,585. This sum represented in England 6*d.* per county and 1*s.* per borough elector, while in Scotland, where they oftentimes managed to do the things not only cheaper but better, it represented 4½*d.* per county and 8*d.* per borough elector. If the electors looked at the matter in the proper spirit, they could not, he thought, reasonably object to bear an expense so small which was contracted for their benifit; while it seemed to him that candididates ought not to be called upon to pay these expenses, as they devoted themselves to duties which promoted the interests of their constituents and the country. He felt convinced that by calling upon the candidate to defray the expenses of the returning officer, a door was opened for corruption, and he should, therefore, support the Amendment.

MR. BARROW said, he believed his constituents would willingly return him free of expense; but he did not see why he should allow any one to pay for the gratification of his own ambition. He thought, moreover, that the proposal was an unfair one, inasmuch as there were many ratepayers who were not electors, some of whom, as the hon. Member for Westminster was aware, though persons, were not men. He regarded the amount proposed to be taken from candidates as caution money, too, as ridiculous. He rested his objection to the Amendment upon the ground that it proposed to tax those who had do interest in elections. If electors chose they might follow the example that he understood had been set by Westminster, and return their Member free of expense.

MR. WHITE said, that the main argument against the Amendment of his hon. Friend and Colleague was, that it would be unjust to require any contribution towards election expenses from those liable to county and to borough rates who were non-electors. Anticipating some such objection would be urged, he had investigated the matter, with the view to ascertain the actual incidence and total amount of the burden which would have to be borne should the proposed addition to the clause be adopted by the Committee. He found, according to the last return of the County Treasurers of England and Wales for the year ending Michaelmas, 1865, and from the official returns from the sheriffs and returning officers of the expenses incurred by each candidate at the general election of the same year, that where contests had taken place the total expenses to be defrayed by the ratepayers would, under this clause as amended, vary from one-sixth to to one-twentieth of a penny in the pound for the counties. In the boroughs, he (Mr. White), found by the "Electoral Returns" of last Session, those so admirably prepared by Mr. Lambert, of the Poor Law Board, that the cost where there were contests, would be relatively more than in counties, but even in boroughs the total charge would be but one-tenth to one-third of a penny in the pound on the gross annual value of all messuages, tenements, and lands in such boroughs, according to the Income Tax Assessments, under Schedule A. So, should Parliaments, under the reformed *régime*, even revert to their ancient duration of three years, he did think the triennial payment of a share in such a trivial charge would not be felt any hardship or infliction by the non-electors, who were equally interested with the electors, in the return of fit and proper candidates to the Commons House of Parliament. Seeing that Parliament had wisely determined, by largely extending the electoral suffrage, to widen the basis of the Constitution, he ventured to think that it ought to extend the area of selection for candidates. It had long been a public scandal—might he not say a national disgrace—that seats in Parliament had become too often not the reward of capacity or fitness, but the *appanage* of mere wealth and nothing else. So thinking, he supported the Amendment of his hon. Colleague, although, to prevent frivolous and vexatious contests, it would, he thought, be expedient in Committee to supplement this clause with a proviso that every candidate, if in a borough, should deposit £100, and if in a county, £200, towards the necessary expenses of the respective returning officers, whenever a poll was demanded.

MR. BERESFORD HOPE feared that the Amendment of the hon. Member for Brighton would stand at a disadvantage, because it rather presented itself as a fragment of that question of corrupt practices at elections, as embodied in another measure, the consideration of which had been referred to a Select Committee, than a portion of the Reform Bill. Nevertheless, the matter was certainly worthy of serious consideration, at a time when a change in the constitution was being effected, which amounted to a revolution; and when large masses of people who had had no political education were being endowed with political power. He was convinced that the passing of the Reform Bill would introduce a great change in the *personnel* of the House; and that comparatively few, now enjoying seats, would find themselves within the House again. He took it for granted that the very fact of sitting in the present Parliament would be a disparagement in the eyes of the new constituencies. This stood to reason. It could not be denied that the thousands of new voters were being educated up to the belief that hitherto they had been downtrodden serfs, who were only now entering on a right which they ought long since to have enjoyed. Would it not then be the plain dictate of human nature for these new voters, under the inspiration of such feelings, to call for new men, else where would be the advantages to them of their enfranchisement? But, again, these new voters belonged to that class of society—he imputed no blame to them for it—whose daily life was a continual struggle for subsistence, and whose necessarily limited and material education rendered them unfit to realize the idea of disinterested and unpersonal ambition — who would naturally think that a candidate for the House of Commons came forward with the same motive as that with which they themselves went into the labour market—namely, to purchase a position of remuneration, offering the means of personal subsistence. Such voters would, of course, expect to be bribed, and meet the briber half-way. Having, accordingly, such elements to deal with, it would be necessary that further precautions should be taken to secure purity of election. The Motion of his hon. Friend might only touch a fragment of the question; but it was, as far as it went, a mitigation of the disease. He would only add, upon the general question, he thought the more they discouraged the old electioneering system, with its concomitants of revelling and music, of cockney tournament and ridiculous speech-making, and the more they made the elections matter of hard, dry business, the better would it be for the future Government of the country; for the chance would be increased of men of moderate views, not plutocrats, nor yet demagogues, obtaining seats without sacrifice of self-respect, in the future Parliaments of England. The intention of the Amendment was a good one, and as the assertion of a principle it should have his support.

Mr. EVANS said, that in many elections there were persons who, for mere love of notoriety, might, if no expense were involved, go to a contest, and put their opponents to an unnecessary cost. Some precaution ought to be taken to guard against that, and he thought the deposit of caution money might have a beneficial effect, if the amount fixed was sufficient. He thought the principle of the Amendment was quite right—the question was how it would work; and he mentioned another suggestion he had heard made—namely, that if a candidate did not poll a certain number of votes he should be called upon to pay a certain proportion of the expenses.

Mr. Beresford Hope

Lord HOTHAM objected to the Amendment, and trusted that it would not be adopted by the House. Its effect, instead of diminishing, would be to multiply contests in every part of the country. There was not a club in London which did not contain a sufficient number of gentlemen who, for the sake of amusement, or notoriety, or perhaps, of mischief, would not be ready to offer themselves as candidates in almost every district, if they could do so without any expense. Having sat for so many years in Parliament, he certainly should not like to appear now before his constituents, and say that Parliament had taken great pains to improve the representation of the people by increasing the number of voters, and placing polling booths within the reach of every one, but that in return for these improvements they must pay for them. He should be ashamed to appear before his constituents and ask them to pay the expenses which he had hitherto been accustomed to pay. Might not the question be treated in conformity with the doctrine of free trade and the laws of demand and supply? Thus, if candidates were so few in number that a proper supply could not be found, the district might bear the election expenses; but if the supply was equal, or more than equal, to the demand, the candidates should pay their own expenses. Much had been said about the hardship of subjecting a fit candidate for the representation to the expense of an election. But there was nothing in this Bill to deprive any constituency of the privilege of paying the expenses of candidates if it chose to do so. Thinking that this was not the time to pass a measure calculated to benefit the pockets of Members at the expense of electors, he should oppose the plan of the hon. Member for Brighton, whether accompanied by the Amendments to which allusion had been made or not.

Sir HARRY VERNEY said, he thought that the proper principle to legislate upon was that whatever was necessary to carry out an election should be paid by the locality, and whatever was not necessary should be paid by the candidate. It should be remembered that the election was not carried for the sake of the candidate, but for the sake of the locality. Again, in reply to the argument that the whole locality and not the electors alone would have to bear these expenses, it should be remembered that Members were sent to this House for the benefit, not of the electors only, but for the whole country. In his opinion many of the payments now made on account of the election should be declared illegal. For instance, he would not allow anything to be paid for the conveyance of voters; for if men attached so little value to their votes that they could not find their way to the poll, they ought not to be carried there at other people's expense. He thought, also, that the number of agents employed by a candidate might with propriety be limited.

SIR MATTHEW RIDLEY opposed the Motion. The weight of the rates now pressing upon counties and boroughs was very great and ought not to be increased without good reason. All who took part in the administration of county affairs must know that there was a strong feeling rising against the excessive increase of rates, and that feeling was taking a very significant form in the counties. He had no doubt that the effect of the proposal would be to produce unnecessary contests. He would, therefore, with entire confidence oppose it.

MR. AYRTON said, that if the two propositions of the hon. Member for Brighton and the hon. Member for Middlesex were put together they would constitute a fair and simple mode of dealing with the question. He did not think that hon. Members need be alarmed at the idea put forward by the hon. Member for Stoke (Mr. Beresford Hope) that none of them would be returned to the reformed Parliament. On the contrary, their constituents, being enfranchised under the Bill would be so satisfied of the wisdom of hon. Members in passing it, that, with the exception of a few persons, who throughout these discussions have indulged in some disagreeable remarks, they would all be returned. The question really was, who was to pay for the duties of the returning officer? To him, it had always appeared most indecent that the first thing a candidate had to do was to make a bargain with the returning officer. Nothing could be more inconsistent with what was done in every other kind of election which involved the performance of duties to the country. What could be worse than that parties between whom the returning officer was to act impartially should be brought into bargaining relations with him from the very beginning? If hon. Members only looked into the papers which had been laid on the table they would see how hon. Gentlemen had been victimized by returning officers. Indeed, if they followed the example of former Parliaments, a number of returning officers would be brought to the bar after every general election and committed to Newgate for extortion. The most disagreeable results sometimes followed a quarrel between the candidates and the returning officer, who would sometimes delay the election to the latest possible moment, and sometimes were not indifferent in the contest. According to the letter of the law the office of the returning officer, like that of the sheriff, was an onerous one, to be held gratuitously, and only for a year. But now that law had been perverted. The office was now sought by professional men as a source of income, because they had the candidates at their mercy. Taking the Amendment of the hon. Member for Middlesex into account there were practically two proposals before the Committee, and combined they amounted to this—that every person who demanded a poll should pay to the returning officer a fee regulated by Parliament, and about which there could be no dispute; that that fee should be accounted for to those who had charge of the county fund, and that the magistrates should settle with the returning officer for his expenditure. While they might support the proposition made as a whole, they could not pass the Amendment in the form in which it was proposed; but the Government might bring up an appropriate clause to repress frivolous candidature, while saving *bonâ fide* candidates from extortion, and leaving the returning officers to the free exercise of their duties.

MR. HENLEY said, that speaking mainly of county elections, they were held generally in towns a small proportion of whose inhabitants were electors, and perhaps only a limited proportion of electors attended the nominations. A factious candidate might have the show of hands, and then he would not have to demand a poll; and if a poll took place he would not be the man whom the returning officer would ask to make a deposit. But as the law now stood, if a contest took place, each candidate was obliged to put down a certain sum—whether they should not require the sum deposited to be enough to cover the expenses was another question. He could not help feeling that the great body of the people would think it a paltry thing to throw this expense upon them. If they could arrive at the Utopian state conceived by the hon. Member for Buckingham, there would be no expense, but he did not expect that time would ever arrive. The hustings expenses were but a limited portion of the whole expenses, at least in counties; and it was impossible to get thousands of people to vote in a day at a county election without a large and expensive agency. To the question that this clause be read a second time he should be obliged to say "No," as he believed the great body of the people would feel it was a dirty thing to throw this trifling expense upon them, and to be relieved of the liability at the cost of this feeling would be rather a loss than a gain.

Mr. J. STUART MILL: The right hon. Gentleman who has just addressed the House appears to me to have raised a difficulty which is, in fact, no difficulty at all, and which he himself pointed out the means of removing. The obvious remedy against relieving the sham candidate, who might have the show of hands, at the cost of the *bonâ fide* candidate, with a chance of election, was to require deposits from all. But I cannot help thinking that a great deal too much is said of the danger of sham candidates. The expense of the hustings, or the returning officer's expenses, are not only a very small part of the expense of elections as they now are; but I am afraid bear a very small proportion to the expense which it is impossible to prevent. Though a great amount of expense, which, though not corrupt, is very noxious, ought to be, and can be, prevented, it is impossible to prevent, or defray out of a public fund, such expenses as those of advertisements, printing, public meetings to address the electors. The candidates of whom all seem so much afraid, and who have no chance of being elected, cannot present themselves to the electors without incurring a certain amount of these expenses, and if they cannot pay these it is obvious nobody need care for their candidature. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) has said that if this sham candidature is kept up, the counties or the other candidates may be put to expense. But I have no doubt the general opinion would so strongly condemn this, that it would be hardly possible for anyone who cares for the opinion of the constituency, and wishes to make himself favourably known to them, to present himself in this capacity. It may happen, perhaps, or the public may be led to think, that under this horror of sham candidates there is concealed a greater fear of real candidates. This is, as was well observed by the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope), part of a much greater question, that of election expenses generally, with which, in all its parts, this House must necessarily have to deal; and I hope it will see the necessity of dealing with it soon. But this particular expense, though a small part of the total cost of elections, is a part which it is really in the power of the House to control. It is a necessary part of the expenditure of the country, like any other portion of the public charges. If a foreigner asked how this country provided for that part of its expenditure which attends the election of its representatives, would he not be astonished to hear that it was done by a tax on candidates? Of all sorts of taxation, was there ever such a partial and unjust specimen as that would be? But it is really a great deal worse. I can compare it to nothing short of requiring a Judge to pay large sums towards the cost of the administration of justice. It is true that you make men pay for commissions in the army, but you do not apply the price of these commissions towards defraying the expense of the army. Does this House, in any other case, arrange to defray any part of the necessary expenses of the country by a special tax on the individuals who carry on its service? The hon. Member for Stoke-upon-Trent (Mr. Beresford Hope), though he has fears of the consequences of the constitutional change we are making, which I by no means share, has expressed an anxiety in which, I think, we must all participate —a sense of the duty under which this House and the country now lie, to provide for educating, in the morality of politics, that large class who are now for the first time to be admitted to the electoral suffrage. What sort of a lesson are we giving them—what sort of instructions do we offer —when we lead them to believe that the great trust of legislating for this country is a thing to be paid for, that it is worth while paying for it, and that men can be made to pay for it? What more natural than that they should think it might as well be paid for directly to those who confer it? The noble Lord who spoke earlier in the debate (Lord Hotham) seems to consider that the law of demand and supply should be left to regulate these matters, so that, in fact, those who are willing to pay money should have a clear field, and that the representation should be knocked down to the highest bidder. That is, perhaps, to a certain extent, done already; but the House ought not to extend and perpetuate the practice. There is in this country a large and growing class of persons who have suddenly and rapidly acquired wealth, and to whom it is worth any sacrifice of money to obtain social position. The less they have to recommend them in any other respect—the less chance they have of obtaining a place in what is called good society — esteem, either by qualities useful and ornamental—the more sure they are to resort, if they can, to the only infallible and ready means of gaining their end, the obtaining a seat in this House. This is a growing evil which ought to be guarded against. I hope the Government will deal with this subject in all its parts, as it is certainly highly needful to do; but we have now an opportunity of dealing with one part which is entirely in our control, and which forms an element of the question we are now discussing. We can deal with that small part of election expenses which is an unavoidable part of the expense of governing the country, and which, though the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) said it would be extremely shabby to throw on the constituencies, I think it would be a monstrous deal more shabby to throw on the candidates. When a man has no personal object of his own to gain by obtaining a seat in this House, it is not for the House to require that he should pay the expense which the country and the electors incur by his election: if he has any such object, we ought to do everything in our power, and to throw every obstacle in his way, to prevent him from obtaining it by money. Above all, it is our duty to show to the new electors, and that large portion of the old who, I am sorry to say, still need the lesson, that the business of election is a thing far removed from aught of buying and selling; that the business of a Member of this House is a laborious and onerous task, and when not sought from personal motives, one which it requires a high sense of public duty to undertake, and that the burthen, therefore, ought not to be increased by throwing any part of the expense on the candidate. We ought, above all things, to show the electors that they are doing what we and the world consider disgraceful, if they put the candidate to any expense, and thus tempt him to use his seat for his personal advantage.

VISCOUNT CRANBORNE said, the hon. Gentleman (the Member for Westminster) seemed to have a very inadequate idea of the dangers of sham canditatures. He and others who thought with him were probably not sufficiently acquainted with the wickedness of elections to believe that sham candidatures were now, and would in future be, the acts not of isolated and eccentric persons, but of London clubs. If there was no great expense attending such a proceeding, the clubs would, as a mere matter of mischief, or, if not so, to test the willingness of the candidate, to take the chance of accidents, or to try any poor man who was standing, always be ready to send down a sham candidate. His fear was that the Amendment of the hon. Member for Brighton (Mr. Fawcett) would have the effect, not of admitting poor men into Parliament, but of throwing the most formidable obstacles in their way; for rival parties would always have it in their power to send down a sham candidate to oppose a man of that kind. The point which the hon. Gentleman opposite (Mr. Stuart Mill) had failed to see was that these hustings expenses were a mere fraction of the whole expenses of the candidate; and that the question whether a candidate would get into Parliament did not depend on his willingness or power to pay hustings expenses, but on his power to pay the larger expenses attendant on his being brought in contact with the constituency. The hon. Member for Westminster was a distinguished instance of a man brought into Parliament without expense to himself; but, if he inquired of those who helped him, he would find that he had not obtained his seat without considerable expenditure. The hon. Gentleman alluded to the case of a Judge as parallel to that of a candidate being required to pay his expenses; but he was surprised when that simile passed through the hon. Gentleman's mind, that it should not have occurred to him that there was a much more apposite analogy between a Court of Law and that House. Candidates coming before a constituency were in fact trying a case before the great inquest of the nation. Was it unreasonable, then, that they should have to find that security which was required from every suitor, great or small—a readiness to incur a certain risk and bear a certain loss, in order to make sure that their appeal to the Court was real and sincere. It seemed that the same reasons which induced them to maintain that system as regarded Courts of Law must induce them to maintain it as regarded Parliament also. If the suggestion of the hon. Member for Nottingham (Mr. Osborne) for an enormous multiplication of polling places had been carried, he should have felt bound to vote for the Motion of the hon. Member for Brighton, because the increase of expense thus caused would have been so alarming that it would not have been fair to ask the candidate to defray it. But, as it was, the proposal seemed to him a mere clipping of the corners of a great evil, and, by adopting it, they would run the risk pointed out by the right hon. Member for Oxfordshire (Mr. Henley), of holding themselves up to the country in a mean and nasty light, merely for the purpose of diminishing an expense which was really no burden to the large number of candidates—which did not form really part of the terrible evil with which they had to struggle, and the abolition of which, therefore, would be a kind of anodyne to their conscience — a mere blind rather than a real evidence that they were trying seriously to meet and grapple with a great abuse. If he could not vote for the Motion it was from no want of a sense of the reality of the danger to which the hon. Member for Westminster had referred. The great danger that he feared from the measure they had adopted was, that it would hand over the constituencies to a class of men, not composed of those who enjoyed wealth acquired by a long course of honourable industry, but of men who had suddenly acquired immense riches by some lucky stroke of speculation—men who had in their past lives given no guarantee that they would be useful and honourable Members of that House. He feared that such men as these would seek to obtain seats in the House of Commons not only, as the hon. Member for Westminster had pointed out, for the sake of social advancement, but for still more discreditable motives; that, in fact, when they came to practical legislation they would try to make that which they had purchased for money return them their money's worth. If the House wanted to make a clear sweep of the present system, to bring down with a run every institution that they valued, they would do so by adopting the present proposition, the effect of which would be, by multiplying sham candidatures, to make it impossible for any man not possessed of very great wealth to retain his seat. He had heard with satisfaction the speech of the hon. and learned Member for the Tower Hamlets. If the Government should think fit to bring forward a measure embodying his suggestions, he (Viscount Cranborne) thought it would prove acceptable. He could not support the clause in its present shape, because he feared it would encourage the very evils which it sought to avoid.

Mr. GLADSTONE said, the impression left on his mind by the discussion was that the opponents of this proposition rested on specialities and narrow grounds, while its supporters relied upon principles. After listening to the speech of the noble Lord (Viscount Cranborne) he had expected that his apprehensions as to the future influence of money power would have led him to support the present Motion; and it was therefore with some surprise that he had heard him come to the opposite conclusion. The objection of the right hon. Gentleman the Member for Oxfordshire to this proposition was, that if they adopted it they would be considered by the public opinion of the country to have done a mean and shabby action. It was possible, no doubt, that what was called the public opinion of the country, but what was really only the local opinion of the persons concerned, would be offended by such legislation. He thought, however, it was high time that that opinion should be offended, for on no subject more than on this was a radical cure called for. They knew that, in too many constituencies, there was an appraisement of the candidate, and an estimate made of how far he would be beneficial to the town, the most lavish expenditure being applauded as conduct becoming a gentleman, and the slightest hesitation in spending money being considered very mean and shabby. He could not look with the smallest respect or deference upon such a state of opinion, nor was it possible, without causing a scandal among the class to which he had referred, to arrive at a healthy state of things. The hon. Member for Westminster (Mr. Stuart Mill) had said that this was dealing with a small portion only of a large subject; but he (Mr. Gladstone) was not aware that there was any course open to them but to deal with it item by item. He could wish that all perils of our representative system had but one neck, that they might be cut off at one stroke. The present was, however, the first of these evils that had presented itself to their notice, and let the House so deal with it as to give a good omen of its intention to deal with the rest. The expense in question was not inconsiderable in large constituencies, and it must grow with the additions made by this Bill to the constituencies. The noble Lord (Viscount Cranborne) had a fear of sham candidates. No doubt one peculiarity of the system under which anyone might be made a candidate exposed us to some dangers in this respect. He presumed the Committee were not prepared to deal with this feature of our representative system; and that anyone who could find A to propose and B to second him might become a candidate. He was disposed to view with favour the plan, either of making the candidate liable for a portion of the expense, or of making him lodge a certain sum of money, in order to deter men of straw from engaging in these contests. In one point of view the proposal of the hon. Member for Brighton (Mr. Fawcett) tended to bring forward men of straw; in another it had a tendency to prevent such contests, because it created a public opinion adverse to them. Heretofore the community, in consequence of the absolute exemption of the whole body, had few motives to discourage such contests, while a great body of the electors had an interest in promoting them by reason of the profit they derived from the large expenditure of a contested election. Even a small addition, however, to the local burdens would cause them to be viewed with jealousy, and there would be a voluntary disinclination on the part of the community to the multiplication of needless contests. If that disinclination became a portion of the public opinion of the electoral bodies, they need not be so much afraid of the normal and obtrusive action of the clubs in London. He thought that the Motion embodied a general principle; and if they were only able to obtain a clear view of that principle, how strong it was. The noble Lord (Viscount Cranborne) could hardly be satisfied with his analogy that the candidates at an election were like the suitors in a Court. That which might be partly true of certain individuals could not be affirmed of the majority. It might be that selfish motives mixed with the views and intentions of some men; but it was a gross exaggeration to represent that which was the abuse and the exception as a law which was universal or without limit. As a rule the candidates were the advocates of the public cause, and, as such, they ought not to be taxed. Any other theory produced a false view on the part of the public, and conduced to habits of venality. If they wished to make the elector understand that he was to discharge a public trust, do not let them meet him at the threshold and enable him to cast into their teeth that the first thing Parliament did was to lay upon the candidate a heavy tax. Arrangements of this kind operated as a tax upon poorer men, while they failed to restrain the avidity and ambition of the rich. For these reasons he was ready to concur in the Motion.

MR. SCOURFIELD said, that if the arguments used in support of the proposition for taking off the expenses of elections from the candidates, and throwing them on the local fund, were good for anything, they were equally conclusive in favour of throwing the charge upon the Consolidated Fund. At any rate there was no reason why they should be thrown upon the county. He called upon the House to consider whether they would consent to saddle on all occasions every expense on the county rate.

MR. LAING said, referring to the suggestion of the right hon. Gentleman the Member for South Lancashire that this question should be considered not as one of details, but of broad general principles, it certainly appeared to him that a broad and general principle of very great importance was involved in the argument of the right hon. Gentleman, and also in that of the hon. Member for Westminster. The broad argument urged by his hon. Friend was that we ought to make it practically as easy for a poor man to get into the House of Commons as it was now for men who had what was called a stake in the country. Now it was evident to him (Mr. Laing) that, if such an argument were worth anything it ought to be carried a step further, and ought to be carried out to the payment of Members; for, admitting the argument to be a sound one, on what principle could it be said that a poor man of intellect and integrity and character should be shut out from a seat in that House in consequence of the impossibility of his possessing an adequate income to maintain such a position? The argument which had been advanced seemed to him to be among the fallacies peculiar to certain descriptions of men; and he thought that if Lord Bacon had been alive he would have enumerated among the existing *idola* a certain fallacy peculiar to the House of Commons—namely, that it ought to consist of rich men, but that they should be returned to it at a cheap rate. Now, in his judgment, those two propositions were incompatible with each other. Every hon. Member who went to his constituency for re-election was anxious to avoid sham oppositions, got up by men with no hold on the constituency, but who might hold some extreme opinion which was popular among a small section of the electors. But after a Member had been returned to Parliament and reflected on the large sum he had expended on his election, he would very naturally say to himself, "What a fine thing it would have been if all my expenses had been defrayed out of the county rates, and if I had come here at the cost of £200 or £300, instead of £2,000 or £3,000." As long as the constitution of the House remained practically what it was there must be a sort of indirect property qualification. He was much opposed to a hard and fast line of absolute exclusion by means of a property qualification; and he was also opposed to anything in the nature of illegitimate expenditure and anything in the nature of bribery; but he regarded the accustomed regular and legitimate expenses of elections as a wholesome provision for keeping the House of Commons practically what it was at the present moment. As to the denunciations of men of wealth, and the lamentable statements about rich men seeking seats in that House for social advancement or with worse objects, was that a state of things which really existed to any great extent? The House of Commons contained in it many gentlemen who had honourably made their way in the world; and could it be fairly represented to be thronged with men who had no title whatever to sit there, except their money bags, and no desire except to obtain a social standing. Taking things as they were, and taking the expenses of elections as they were, did not the House of Commons contrast favourably with similar assemblies in other countries, where a different system prevailed, where the Members received remuneration for their services, and where consequently the door was thrown open to the poor man as well as to the rich? He looked upon a change in that direction with more horror than upon the most extreme extension of the suffrage.

Mr. Laing

A proposal that Members of Parliament should receive salaries was one of the most revolutionary and democratic that could be made, and he should steadily oppose any Motion that contained even the germ of such a principle. The suffrage might be thrown open to any extent; but as long as no invidious distinction was made—as long as it was possible for a poor man to gain access to that House, although it might be practically difficult for him to do so—and as long as the House consisted of men who might be said to have a stake in the country, he thought we should remain what might fairly be called a Conservative country and be able to maintain the stability of our institutions. If, however, to a large extension of the suffrage were added the adoption of principles which would lead to a totally different constitution of the House of Commons, he should entertain the most heartfelt apprehensions as to the consequences that might ensue. It was upon a broad, general principle, therefore, that he opposed the Amendment of the hon. Member for Brighton—although he thought, at the same time, there were forcible objections to it in regard to matters of detail. For instance, sham candidates would be introduced if anybody was able to stand in a contest. A single example was worth all the argument in the world; and he happened to remember a case which went exactly to the point. Hon. Gentlemen would probably recollect the case of an election when a highly respectable gentleman, Mr. Harper Twelvetrees, stood for a borough. Well, Mr. Twelvetrees was, or professed to be, a benefactor of the human race, being the inventor of a powder which was calculated to promote the domestic comfort of all classes of the community, and of the inhabitants of the metropolis more particularly. Being of a philanthropic turn of mind, this gentleman spent large sums of money in advertising his invention, and, among other means of advertising he adopted the plan of coming forward as a candidate for a certain metropolitan borough. Now, he asked whether it was desirable to throw down all the barriers which stood in the way of proceedings of this kind? Supposing men could adopt such a course at an inconsiderable expense, perhaps many Harper Twelvetrees would take the opportunity of gaining notoriety in that way. Many hon. Gentlemen no doubt knew of Chartist orators and local agitators who, in total disregard of the feelings of their neighbours, would not hesitate to acquire notoriety by becoming candidates at elections if the expenses had to be defrayed by others. On those grounds he should oppose the Amendment of the hon. Member for Brighton.

THE CHANCELLOR OF THE EXCHEQUER said, that if the principle on which the Amendment of the hon. Member for Brighton (Mr. Fawcett) rested was a correct one, it ought to be carried much further. He had felt that in 1859, when the Government themselves proposed something similar, at the same time that they proposed putting an end to the property qualification. But was the House prepared to carry out that principle—he would not say to its extremity—but to the further consequences which in his judgment would soon ensue? Hon. Members seemed to smile when his hon. Friend the Member for Haverfordwest (Mr. Scourfield) intimated that there would be some danger if the present scheme were adopted, that the expenses of candidates would have, in the end, to be paid out of the Consolidated Fund. Now, in this respect he agreed with the Member for Haverfordwest. What were legitimate expenses? The expenses referred to in the addition proposed by the hon. Member for Brighton were not very important in amount, but they were not a bit more legitimate than many other expenses incurred at Parliamentary elections. The hon. Member had spoken with indignation of the expenses incurred by the bringing up of voters; but how was an election to be conducted if the voters were not brought up? Well, if they were to be brought up at the expense, not of the candidate, but of the locality, the ratepayers would soon demur to the expenditure, saying that what was a national duty ought to be also a national charge, and making a claim, which could not be long resisted, on the Consolidated Fund. After the great change of 1832, the period of time in which electors were allowed to record their votes was reduced. The result was, that in a county sixty miles long it became necessary on a certain day to bring in the course of eight hours some 4,000 or 5,000 men to the poll. Now, how was it possible to do that without an organized arrangement? On the nomination day a sham candidate might come forward and express his determination to go to the poll. There was no room in such a case for hesitation; but, in order to avoid the possibility of being defeated by an unworthy foe, the real candidate was under the necessity of causing instant preparations being made for bringing up his voters to the poll. If this were not done, the adventurous candidate might be successful. Even now, there was not a sufficient check against this; but surely what check there was ought not to be abolished. Whatever check there was ought rather to be cultivated and cherished. The remarks which had fallen from the hon. and learned Member for the Tower Hamlets were deserving of consideration, although they were not of very great importance, and he thought they might well be referred to the Committee on Corrupt Practices. The adoption of the addition moved by the hon. Member for Brighton would, as it appeared to him, lead to the greatest public inconvenience and disaster, and he entreated the Committee not to assent to it.

MR. FAWCETT, in reply, said, that as to the argument that if this Motion were carried there would be danger that these charges would ultimately be thrown on the Consolidated Fund, he wished to ask how, in this respect, the proposition differed from that of the Chancellor of the Exchequer—that the expenses of polling booths should be placed upon the local rates? The only expenses which he (Mr. Fawcett) wished to throw upon public rates were necessary expenses, whilst conveyence of voters to the poll was not a necessary expense.

MR. CONOLLY thought that the proposition was one of very great importance; and that, as they were going to make an enormous increase to the constituencies, they were bound to provide some defence against the corruption to which it might lead. He hoped that the proposition would be followed up by another to make other expenses of elections be borne by the constituents.

MR. LABOUCHERE requested the Chairman to put his proposition, requiring candidates for counties and boroughs to deposit sums of £100 and £50 respectively towards the election expenses with the returning officer, as an addition to the Amendment of the hon. Member for Brighton, otherwise the sense of the Committee could not be taken upon it at all.

Question, "That those words be added to the proposed Amendment," put, and *negatived.*

Original Question put, "That those words be there added."

The Committee *divided*:—Ayes 142; Noes 248: Majority 106.

Clause, as amended, *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER moved to insert the following clause:—

Clause B (Rooms to be hired wherever they can be obtained). At every contested Election for any County or Borough, unless some building or place belonging to the County or Borough is provided by the justices for that purpose, the returning officer shall, whenever it is practicable so to do, instead of erecting a booth, hire a building or room for the purpose of taking the poll:

Where in any place there is any room, the expense of maintaining which is payable out of any rates levied in such place, such room may, with the consent of the person or corporation having the control over the same, be used for the purpose of taking the poll at such place.

Clause *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER moved to insert the following clause:—

Clause C (Amendment as to time for delivery of lists and commencement of register of voters). The forty-seventh and forty-eighth sections of the Act of the sixth year of the reign of Her present Majesty, chapter eighteen, relating to the transmission and delivery of the book or books containing the list of voters to the sheriff and returning officer shall be construed as if the word "December" were substituted in those sections for the word "November," and the said book or books shall be the register of persons entitled to vote for the County or Borough to which such register relates at any election which takes place during the year commencing on the first day of January next after such register is made, and the register of electors in force at the time of the passing of this Act shall be the register in force until the first day of January, one thousand eight hundred and sixty-eight.

Clause *agreed to.*

Clause D (Amendment of Oath to be taken by poll clerk).

The oath to be taken by a poll clerk shall hereafter be in the following form:—

I, A.B., do hereby swear that I will truly and indifferently take the poll at the Election of Members to serve in Parliament for the [Borough or County] of . So help me God.

Every person for the time being by law permitted to make a solemn affirmation or declaration instead of taking an oath, may instead of taking the oath hereby appointed, make a solemn affirmation in the form of the oath hereby appointed, substituting the words "solemnly, sincerely, and truly declare and affirm," for the word "swear," and omitting the words "So help me God,"—(*Mr. Chancellor of the Exchequer*,)

—*brought up*, and read the first and second time.

MR. RUSSELL GURNEY suggested that a declaration should be substituted for the oath, in accordance with the recommendation of the Commissioners on Oaths, who were all agreed as to the advisability of abolishing such oaths as that now proposed.

MR. WALPOLE reminded the right hon. Gentleman that the proper time to act upon such a suggestion would be when a Bill was introduced on the subject of oaths. It was quite possible that the House of Commons might not concur in the views of the Commissioners, who, he understood, were divided in opinion.

MR. RUSSELL GURNEY said, they were all agreed as to the propriety of abolishing all such oaths as these.

VISCOUNT CRANBORNE said, a contested election was not an occasion of that solemnity that required a man to be called upon to take such an oath as this, and he thought that a declaration would be quite sufficient.

MR. AYRTON said, that a declaration would be of no use, because you could not prosecute a person for a false declaration, whereas you could for a false oath.

MR. GILPIN said, the word of an honourable man ought to be taken for as much worth as his oath, and therefore he hoped that a declaration would be substituted for an oath in this clause.

MR. GLADSTONE then moved an Amendment to substitute a declaration in lieu of oath.

Amendment proposed at the beginning of the clause to insert the words "In lieu of."—(*Mr. Gladstone.*)

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 173; Noes 178: Majority 5.

Clause *agreed to.*

New Clause—

Clause E (Receipt of parochial relief.) The thirty-sixth section of the Act of the second year of King William the Fourth, chapter forty-five, disqualifying persons in receipt of parochial relief from being registered as voters for a Borough, shall apply to a County also, and the said section shall be construed as if the word "County" were inserted therein before the word "City,"

—*agreed to.*

House *resumed.*

Committee report Progress: to sit again *this day* at Two of the clock.

VACCINATION BILL—[BILL 175.]

(*Lord Robert Montagu, Mr. Gathorne Hardy, Mr. Hunt.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. VANDERBYL: It is with great reluctance that I rise to move "that this Bill be read this day six months." The object of the Bill is "to consolidate and amend the laws relating to vaccination," but it seems to me that too complicated a course has been proposed for the purpose of making this a useful measure. I wish it to be distinctly understood that I am an advocate for continuing the system of compulsory vaccination; but, to secure that object, I think it is unnecessary and absurd to overburden this Bill with clauses which can only act as so much dead weight and thus destroy the object we wish to secure. I may refer briefly to a few clauses to demonstrate how necessary it is that this Bill be reconsidered. Allow me in the first place, to direct attention to Clause 6, defining the remuneration of public vaccinators, and, without wishing to compare the education of the medical man with that of the attorney or solicitor, let me ask hon. members what they think of paying educated gentlemen eighteenpence for performing a surgical operation requiring skill and judgment, writing in the register the name, age, sex, &c,, of the person, inspecting the patient on the seventh day, writing two certificates, and transmitting one by post or otherwise to the Registrar. The Bill does not say who is to pay the postage, but one penny for postage will absorb one eighteenth, or more than 5 per cent of the payment offered. In my opinion this proposal is perfectly scandalous, and I think the framers of this Bill, and of this clause, felt that they were about to inflict a gross injustice; hence they proceeded by the offer of gratuities —in short, Clause 5 was inserted as a kind of sop to make things look pleasant. But on going to Clause 8, in which it is proposed to pay for re-vaccinations two-thirds of the fee for the primary operation, I am at a loss to conceive upon what principle it is proposed, and, if allowed to remain, it comes to this, that we undertake to give a premium for carelessness, for we agree to pay two-thirds of the eighteenpence —that is one shilling—for re-vaccinations which is exactly the amount of the gratuity offered for successful operations. The vaccinator will therefore get one shilling in either case; but, when he has to re-vaccinate anybody beyond the distance of one mile, two-thirds of the primary fee will be one shilling and fourpence, so that he will get more for re-vaccinations than the gratuity offered, and when he re-vaccinates beyond the distance of two miles he would be entitled to two shillings—that is, twice as much as the gratuity offered. Now I disapprove of any antidotes for carelessness in the shape of gratuities, and I would therefore omit giving the gratuity and paying for re-vaccinations. I would propose to pay the medical man fairly for the operation, and expect it to be successfully performed; and if, from any cause whatever, re-vaccination be required the medical man should be obliged to perform the operation again, without further payment. This seems to me the rational mode of treating this question. Now, as regards the registration of vaccination, I can scarcely conceive a more useless, and tyrannical scheme for compiling a national register of vaccination—useless, because if any evidence were required as to any particular person having been successfully vaccinated, the information can be more certainly and more readily obtained by inspection of the person's arm; tyrannical, because it subjects private practitioners and parents to the risk of being summarily convicted in a penalty of 20*s.* for not sending a certificate to the registrar. As regards the public vaccinator, he has made a contract, and, it may be argued, he must abide by it; but why should the private practitioner, when he has finished the operation, and is about to depart, be stopped to write a certificate? He can scarcely ask for a fee from his patient for this extra service; and why should his time be occupied by writing a certificate for the Government without payment? I venture to say that a much simpler scheme could be devised for obtaining all the statistical information we may require on this subject. But I am unwilling to occupy the time of the House any longer, and therefore move "that this Bill be read on this day six months."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Vanderbyl.*)

MR. BRUCE said, that the two points

referred to by the hon. Member had been fully discussed in the Select Committee on the Bill and in the Committee of the whole House, and he therefere trusted the hon. Member would not persevere with his Motion.

Mr. BRADY agreed with the principle of compulsory vaccination; but the House ought to give the people some security that that principle should be carried out perfectly, and he contended that the Bill before the House did not give that security, and was altogether imperfect.

Mr. BARROW said, that medical men were not at all agreed with respect to the efficacy of vaccination. He thought it would be highly impolitic, under such circumstances, to pass a compulsory measure.

Sir J. CLARKE JERVOISE hoped the Bill would be postponed till further inquiry were made.

Mr. KENDALL was in favour of an efficient system of vaccination, but would vote against the third reading because he thought sufficient regard had not been had to the feelings of the lower classes.

Mr. THOMAS CHAMBERS would vote against the measure because he was persuaded that even if it were passed an agitation would be commenced, which would not cease until the Act was repealed.

Lord ROBERT MONTAGU said, he thought it wiser to save peoples' lives than to consult their prejudices. The agitation against the Bill was confined to a very small class—Mr. Morrison and his pill takers, and Dr. Coffin and the Herbalists. The example of Scotland showed the value of a good vaccination Bill. The result of passing the measure for that country was that the death rate from small-pox had been reduced from 2,000 per annum to only 120 per annum.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

ECCLESIASTICAL TITLES AND ROMAN CATHOLIC RELIEF ACTS.

NOMINATION OF COMMITTEE.

Mr. MacEVOY rose to move the completion of the nomination of the Select Committee on Ecclesiastical Titles and Roman Catholic Relief Acts.

Question proposed, "That Mr. M'Kenna be one other Member of the Select Committee on the Ecclesiastical Titles and Roman Catholic Relief Acts."

Mr. NEWDEGATE objected to the nomination at that late hour, and moved that the debate be adjourned.

Lord NAAS said, the House some time ago sanctioned the appointment of the Committee, and it would be only a fair and usual course to allow the nomination. The intention of the House had been long expressed, and he hoped that his hon. Friend would not oppose himself to it.

Mr. NEWDEGATE said, he should persevere with his Motion.

Mr. HUNT observed, that as the object of the hon. Member was to prevent the nomination of the Committee, it would be the fairer course to move that it be nominated that day three months, and take the sense of the House on the subject.

Mr. NEWDEGATE said, that that course would not suit his purpose.

Motion made, and Question put, "That the Debate be now adjourned." — (*Mr. Newdegate.*)

The House *divided*:—Ayes 13; Noes 38: Majority 25.

Original Question again proposed.

Colonel W. STUART moved that the House do now adjourn.

Motion made, and Question put, "That this House do now adjourn."—(*Colonel William Stuart.*)

The House *divided*:—Ayes 12; Noes 39: Majority 27.

Original Question put, and *agreed to.*

The Judge Advocate and Mr. Chichester Fortescue nominated other Members of the said Select Committee.

On mention of Mr. Newdegate's name, Mr. NEWDEGATE said, he should decline to serve.

Motion made, and Question, "That Mr. Newdegate be one other Member of the Select Committee," put, and *negatived.*

Mr. William Edward Forster, Mr. Henry Austin Bruce, Mr. Bentinck, Lord Frederick Cavendish, and Mr. Brett nominated other Members of the Select Committee:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at
Two o'clock.

HOUSE OF LORDS,

Friday, June 28, 1867.

MINUTES.]—Select Committee—On Construction of the House *appointed.*

Public Bills — *First Reading* — Vaccination* (189); Christ Church (Oxford) Ordinances* (190); Real Estate Charges Act Amendment* (191).

Second Reading — Court of Chancery (Ireland) (172).

Select Committee—Report — Pier and Harbour Orders Confirmation (No. 2)* (187); Railway Companies* (159), The Duke of Cleveland and The Earl Graham *added.*

Committee—Drainage and Improvement of Lands (Ireland) Supplemental* (165); Lunacy (Scotland)* (163).

Report—Drainage and Improvement of Lands (Ireland) Supplemental* (165); Lunacy (Scotland)* (163).

Third Reading — Tyne Improvement* (157); Pier and Harbour Order Confirmation (No. 3)* (161); Bridges (Ireland)* (164).

ESTABLISHED CHURCH IN IRELAND.—HER MAJESTY'S ANSWER TO THE ADDRESS.

The Queen's Answer to the Address of Monday last *reported* as follows:—

"I have received your Address, praying that I will give directions that, by the operation of a Royal Commission or otherwise, full and accurate information be procured as to the nature and amount of the property and revenues of the Established Church in Ireland, with a view to their more productive management. And I have given directions that a Commission shall issue for the purpose which you have requested."

CONSTRUCTION OF THE HOUSE.

MOTION FOR A SELECT COMMITTEE.

The Earl of CARNARVON rose to move that a Select Committee be appointed to consider whether any and what arrangements can be made to remedy the present defective Construction of the House in reference to Hearing. Although the subject of the Motion was perhaps of a humbler kind than many which occupied their Lordship's attention, yet it was certainly one of considerable importance, for he ventured to think that there could be no greater hindrance to the transaction of public business than the impossibility of hearing distinctly what was going on. On the front Ministerial and Opposition benches, no doubt, it was possible to hear what was said; but of no other part of the House could as much be said. His noble Friend (the Earl of Malmesbury) who spoke on the subject during his absence the other evening, and who said that a Committee had been appointed on the subject some years ago, had overlooked the fact that he sat on the Treasury bench, from or to which all speeches were addressed, and had made the mistake of supposing that other noble Lords in other parts of the House could hear and be heard as well as the occupants of the Treasury and the front Opposition benches. The noble Earl had served on a Committee appointed twelve or fourteen years ago, which considered all the arrangements of the House, and suggested several improvements, which were carried out and had been found exceedingly useful. But surely it was absurd to suppose that science had stood still since that Committee sat, and that other practical improvements might not now be possible. More than that, he must remind his noble Friend that the main object of that Committee was to consider how the hearing could be improved mainly in regard to the Reporters' Gallery. No doubt the result of the improvements then recommended was that the Reporters could hear the debates more perfectly than before, as their gallery was advanced and lowered some 10 or 12 feet: but as far as the great body of the Peers were concerned, scarcely any improvement had been effected. If their Lordships would bear in mind what the measurements of the House were, they would at once perceive the probability of their being a great difficulty in hearing. Its length was ninety-three feet, its height from the floor to the highest part of the ceiling about fifty feet, and the width about forty-five feet. There were large spaces overhead, behind the Woolsack, and below the Bar. In addition to these, there was under the House an immense range of vaults, or catacombs, separated only from their Lordships' feet by an iron grating, and through these vaults and open spaces the voice of every speaker wandered and ran to waste. Their Lordships' House, though it was not generally known, was considerably larger in its dimensions than the House of Commons, although, after all, the House of Lords was intended to accommodate only about one-half the number of Members of which the other House was composed. While on the largest division in the House of Commons, he believed, about 625 voted, the highest number who ever recorded their votes on a division in their Lordships' House was about 310. In other respects the accommodation within the House—if accommodation it could be called — was most deficient. The seats themselves were not sufficiently wide, and the gangways were so extremely narrow that passing through them was inconvenient; and the spaces between the back seats were so narrow that no noble Lord could sit upon them without personal discomfort. He was quite at a loss to understand why there should be so great a difference in regard to the spaces between the back rows in the House of Commons and the spaces between the back rows in their Lordships' House. The space in that House was only twelve inches, whereas in the House of Commons it was eighteen inches. On what possible principle could it be supposed that a Peer required six inches less room than a Member of the Lower House? The fact was, that their Lordships' House was fitted up for great pageants and State ceremonials, and not for the transaction of ordinary business. A reference to the architect's original memorandum would show that these were the main considerations apparently in view at that time. And what had been the result? He did not deny that on great occasions, when a subject of great importance was before the House, or a speaker of great eminence rose to address their Lordships, and the House was comparatively quiet, the debates were audible as long as the attention of their Lordships was fixed; but under ordinary circumstances—when they were in Committee, for instance,—the sight was generally presented of one or two, and perhaps five or six, noble Lords standing up around the table, and carrying on a conversation which might, no doubt, be very interesting to those engaged in it, but which was absolutely unintelligible to any one who was listening below the gangway. Well, the Peers who were out of earshot naturally grew impatient on such occasions, and accordingly commenced talking; so that there was no chance whatever of hearing what was being done at the table. He was sometimes at a loss to understand how it was that the discussion ever reached the ears of the gentlemen in the Reporters' Gallery, and he could only account for the fact on the supposition that the sound of the speakers' voices rose and was heard more distinctly above head than by noble Lords who were on the floor of the House. It was obvious, however, that the Reporters could and did only accomplish their work by a combination of great intelligence and dexterity. It was very well known that when the Houses were originally built similar difficulties arose in regard to hearing in the House of Commons; and indeed continual complaints on the subject were made in the early debates there. The House of Commons, however, was too wise to endure so intolerable a nuisance, and accordingly two, if not three, Committees were appointed to inquire into the subject, and they instituted a number of experiments with the view of ascertaining how far the defects could be remedied. The result was that those defects were remedied to a very great extent; and, whatever might be its deficiencies in other respects, its acoustic properties now answered very fairly to its requirements. He thought their Lordships should take a similar course. There were two courses which their Lordships might pursue. In his opinion the best plan would be to retain the present chamber for the great State ceremonies and pageants, and to transact the ordinary business of the House in some other room of more moderate dimensions and better adapted for hearing. That, he thought, would have been the wise course to have taken originally, and he did not know that it would not be possible to revert to it now. If, however, that plan were not adopted, the next best would be to improve their Lordships' House on the Commons' principle. He would not on the present occasion go into the details, which could be far better considered by the Committee which he trusted their Lordships would appoint to inquire into the matter. He should be prepared to lay some suggestions before the Select Committee. The only principle necessary to be laid down was that no changes should be made which would destroy the architectural effect of the House, or render it useless for great State ceremonials and pageants, which were certainly necessary, although they might take place only once or twice in the course of a twelvemonth. In the next place he would suggest the desirability of proceeding cautiously and experimentally, and that the conclusions at which the Committee might arrive should be practically tested by degrees. Whatever might be done, he did not think the House could be made absolutely perfect for hearing. The original defects were so inherent in it that it would be impossible to make it perfect; but still there was room for great and beneficial alterations.

Moved, That a Select Committee be appointed to consider whether any and what Arrangements can be made to remedy the present defective Construction of the House in reference to Hearing.—(*The Earl of Carnarvon.*)

The Earl of MALMESBURY, in reference to an allusion in the early portion of the noble Earl's speech, said, that he had made no remarks to their Lordships on this subject until after the noble Earl had given notice of what he intended. It was not for him, either as a Member of the Government or as an individual Peer, to object to such a Committee as the noble Earl asked for, if their Lordships generally were satisfied as to the correctness of the facts which had been referred to, and that any benefit was likely to result from the labours of the Committee. He must say, however, that, during his own experience of nearly thirty years in that and the old House, he had not experienced the great difficulty in hearing of which the noble Earl had spoken. He was quite sure that the noble Earl himself had no cause to complain, for whenever the noble Earl had addressed the House his speeches had been heard and reported perfectly. His noble Friend had now gone beyond his Notice, because he had alluded to the acoustic qualities of the House. A Committee which sat ten or twelve years ago came to the conclusion that no alterations could be made in acoustic arrangements without altering the architecture and the internal arrangements of the House. It ought to be a strong case which would make their Lordships interfere with the acoustics of the House, if it had the effect of spoiling its architecture, which was so very handsome. His noble Friend spoke of the personal inconvenience suffered by noble Lords during their attendance there. On this point he must differ from his noble Friend. He did not know whether the noble Earl wished to have the seats more softly stuffed, or whether his complaint was directed to the inconvenience suffered by noble Lords when they were addressing the House. If he referred to the latter, he must ask his noble Friend whether the inconvenience was not caused by Peers indulging in private conversation. He believed that a noble and learned Lord whose presence among them was of so much advantage (Lord Cairns) complained that speakers could not be well heard in that House. He would remark that no man who had ever entered their Lordships' House was heard better than that noble and learned Lord. There was not the slightest difficulty in hearing everything he uttered—a fact which, doubtless, was to be attributed to his clear and harmonious voice, and to what he said being listened to with great attention. His noble Friend who had moved for a Committee suggested the alternative of their Lordships meeting in a smaller apartment; and if that were to be done perhaps the best course to be taken would be that their Lordships should change places with the House of Commons, who complained of being crowded; but when there was a numerous attendance of peers the House of Lords was not too large for the number who had seats in it. He did not at all desire to interfere with the wishes of his noble Friend; but, considering the very careful investigation which had already taken place regarding the acoustics of the House, and as he was of opinion that noble Lords who exerted themselves to speak out could be heard, and that the arrangements were not inconvenient, he thought, that the proposition of his noble Friend was unnecessary.

The Marquess of CLANRICARDE hoped that the Motion of the noble Earl (the Earl of Carnarvon) would be agreed to. He and other noble Lords felt the inconvenience to which the noble Earl had referred. The noble Earl who had just spoken thought that, on the occasion of great debates, the speakers were heard very well; but debates were constantly springing up, which, though not of universal importance, were of very great moment to large numbers in the community; and which should reach the country through the Gentlemen in the gallery as well as be heard by their Lordships. If the House were not large enough, they might have recourse to galleries; but there was generally room enough in it. The great fault was that the acoustic arrangements were bad. If the most rev. and right rev. Prelates spoke from their own Benches, in accordance with the rule of the House, it would be impossible for any one sitting below the table to hear what they said. Accordingly, they felt themselves obliged to advance to the table when they had to address their Lordships. Again, when the noble Lords on the Treasury and front Opposition Benches spoke, he defied any one near the end of the House to hear them unless they spoke very loud and there was very great attention. Speeches made from the Benches in the immediate vicinity of the woolsack were not audible at the other end of the House. The noble Earl (the Earl of Malmesbury) said that speakers would be heard if perfect silence were kept by the other Peers; but, practically, it was an impossibility to expect such silence in an assembly of from 100 to 300 persons. Besides, it was absolutely necessary to the business of their Lordships' House that there should be communication among its Members. There might be great difficulty in improving the acoustics; but, as what had been done before had in some slight degree effected an improvement in that direction, he thought they ought not to rest contented till they had ascertained whether the Palace of Westminster, which had cost £3,000,000 of money, might not, by a small additional outlay, be made better adapted to its purposes. His own opinion was that, to a considerable extent, a remedy might be found for evils from which he, for one, suffered, and of which many noble Lords complained.

Lord CAIRNS thought experience showed that, when in any assembly there was a considerable buzz during the delivery of speeches, there was a fair inference that the place of assembly was not a good one for hearing. Whenever a speaker was heard there was sufficient silence around to allow what he was saying to have its effect; but whenever, from a defect in the acoustics, the voice of a speaker could not be heard, invariably and inevitably there was a buzz of conversation; because those who under other circumstances would have listened had recourse to aside and bye conversation among themselves. He should regret anything being done which would spoil the architecture of the House or change its structural arrangements; but it might be found on inquiry that a great improvement could be effected in the acoustics by arrangements of a light and temporary character, which would not interfere with the architectural characteristics of the building. He had had a long professional experience in addressing the House from outside the bar, and that experience led him to think there never was a chamber of the same size in which it was more difficult to make the voice of a speaker heard for any length of time. He hoped their Lordships would grant the Committee; for, even if they should find that no improvement could be effected, it would be at least some satisfaction to know that they had done their best.

Motion *agreed to*.

The Marquess of Clanricarde

And, on July 1, the Lords following were named of the Committee:

E. Carnarvon	V. Eversley
E. Romney	L. Redesdale
E. De Grey	L. Somerhill
E. Kimberley	L. Cairns.

PETITION OF MR. J. J. MOREWOOD.

MOTION FOR A SELECT COMMITTEE.

The Marquess TOWNSHEND, in moving that a Select Committee be appointed to inquire into the statements contained in the petition of Mr. John Joseph Morewood, presented on the 3rd of May last, praying for compensation for expenses incurred in the promotion of Metropolitan drainage, said that Mr. Morewood claimed to be considered the originator of the scheme for the main drainage of the metropolis, in the preparation of the plans and estimates for which he had incurred vast labour and expense, and upon which he had been engaged since the year 1845. Mr. Morewood stated that his plans had been adopted and copied by the Engineer to the Board of Works, that he had many times applied for compensation, but had never received any satisfaction. He hoped their Lordships would not refuse to perform this simple act of justice.

Moved, That a Select Committee be appointed to inquire into the Statements contained in the Petition of Mr. John Joseph Morewood, presented on the 3d of May last, and to report to the House thereupon.—(*The Marquess Townshend.*)

The Duke of MARLBOROUGH said, he should be sorry to have the appearance of casting discredit upon the efforts of, he had no doubt, a very talented person, who had bestowed a large amount of time, money, and consideration upon this important subject of metropolitan drainage, but no sufficient ground, in his opinion, had been shown for the appointment of a Committee. Mr. Morewood was not the only person who had put forward schemes for the improvement of the drainage of London. During the long course of years—upwards of forty years—that the subject had been under the consideration of the Government, of different Boards, and lastly of the Metropolitan Board of Works, no less than 137 competitors had forwarded rival schemes, all of which had been fully considered and reported upon by the Commission in 1850. If their Lordships were to grant this Committee now asked for, each one of the 136 other gentlemen would be equally entitled to have their claims submitted to investigation. It was claimed as a distinguishing feature of Mr. Morewood's scheme that it embraced the construction of two low-level intercepting sewers, one on the north, and the other on the south side of the river, of a character similar to those included in the present Main Drainage Works. Mr. Morewood's scheme, however, was not put forward till 1845; while a scheme for the main drainage of London on the principle of interception was put forward by Mr. Martin in 1843. This was supported in the next year by the Commissioners for the improvement of the metropolis. The petitioner had stated that in consequence of the Board of Works having adopted his plan he was entitled to compensation; but, so far from the Board of Works having adopted Mr. Morewood's plan, it appeared that it was considered with a number of others and was deemed of such little worth that no notice was taken of it in the Report, and in 1858, after repeated pressing and much discussion it was decided not to refer it to the Committee of Works. The petitioner had also said that his plan was identical with that now in course of construction; but the records of the Board of Works showed that the two plans were entirely different in character and one who was at the time an eminent Member of the House of Commons took the trouble some years ago to examine into Mr. Morewood's claim; but after three days' inspection of the plans and documents in the case, he came to the conclusion that it was untenable, and that it would not be proper to bring it before Parliament. Under the whole of the circumstances, and considering that there were 136 inventors of drainage schemes, it would be most unwise to waste any of their Lordships' time by appointing the desired Committee.

After a few remarks from the Marquess Townshend, in reply,

On Question? their Lordships *divided*:—Contents 8; Not-Contents 42: Majority 34.

CONTENTS.

Townshend, M. [*Teller.*]

Dartrey, E.
Kimberley, E. [*Teller.*]

Foley, L.
Ponsonby, L. (*E. Bessborough.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Stratheden, L.

NOT-CONTENTS.

Chelmsford, L. (*L. Chancellor.*)

Buckingham and Chandos, D.
Marlborough, D.
Richmond, D.

Exeter, M.

Amherst, E.
Bathurst, E.
Bradford, E.
Cardigan, E.
Dartmouth, E.
Devon, E.
Graham, E. (*D. Montrose.*)
Haddington, E.
Malmesbury, E.
Nelson, E.
Romney, E.
Shrewsbury, E.
Stradbroke, E.
Tankerville, E.

Hawarden, V. [*Teller.*]

Bagot, L.
Belper, L.
Bolton, L.
Boston, L.
Brancepeth, L. (*V. Boyne.*)
Brodrick, L. (*V. Midleton.*)
Churston, L.
Clonbrock, L.
Colonsay, L.
Denman, L.
De Saumarez, L.
Dunsany, L.
Egerton, L.
Feversham, L.
Heytesbury, L.
Meredyth, L. (*L. Athlumney.*)
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Sherborne, L.
Silchester, L. (*E. Longford.*)
Southampton, L.
Wynford, L. [*Teller.*]

Resolved in the *Negative.*

COURT OF CHANCERY (IRELAND) BILL.

(*Lord Chancellor.*)

(No. 172.) SECOND READING.

Order of the Day for the Second Reading read.

The LORD CHANCELLOR, in moving the Bill be now read the second time said, that it was founded upon the recommendations, unanimously agreed to, of a Commission of which his noble Friends the Master of the Rolls, Lord Cairns, the late Lord Chancellor of Ireland, and many eminent lawyers, were members. Its details, which had been divided into five parts, and which provided, among other things, for the appointment of a Vice-Chancellor and a staff of Chief Clerks and Assistant Clerks would, he believed, be more advantageously discussed in Committee. The second part abolished the office of Masters except one—namely, the office of Receiver. The third part assimilated the practice of the Court of Chancery in Ireland to that of the Court of Chancery in England. The fourth part made the fees payable in stamps instead of in money; and the fifth part comprised many details which came under no particular head. The Bill had come up to their Lordships after full and careful consideration in the other House.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancellor.*)

Lord CRANWORTH said, that his general impression was that the business of the Irish Court was not sufficient for the existing staff; and it would be requisite, therefore, in his opinion, before passing this measure, to prove the necessity of the fresh appointment which it contemplated.

The Marquess of CLANRICARDE said, he was glad to find that the House of Commons, in spite of the important business which had been under consideration this Session, had managed to pass a Bill which he trusted would meet with their Lordships' approval.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE VISIT OF THE VICEROY OF EGYPT.—QUESTION.

Lord WHARNCLIFFE wished, before their Lordships adjourned, to ask Her Majesty's Government, a Question with regard to the approaching visit of the Viceroy of Egypt. It had been stated in the newspapers, and he had seen the statement with great regret, that no attempt would be made on the part of the Government or on the part of the country to give to a potentate, who had extended so much hospitality to our own countrymen, a reception worthy of his rank and position, but that the Viceroy would have to seek refuge in the house of his Consul at Blackheath. He wished to ask the intentions of Her Majesty's Government, and Whether the statement to which he referred was correct?

The Earl of MALMESBURY said, that the Viceroy of Egypt was not going to the house of his Consul. He had accepted the invitation of the Government, and during his stay in England he would receive all the honour to which he was entitled from his position, and the good feeling which this country entertained towards him.

House adjourned at half-past Six
o'clock to Monday next
Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 28, 1867.

MINUTES.]—Select Committee—On House of Commons (Arrangements) *nominated;* on Paris Exhibition Mr. Marsh *added.*

Public Bills—*Resolution in Committee*—Poor Law Board [Salaries and Superannuations.]

First Reading—Naval Stores* [214].

Second Reading—Local Government Supplemental (No. 5)* [206].

Committee—Representation of the People [79] [R.P.]; Vice Admiralty Courts Act Amendment* [155]; Public Records (Ireland)* (*re-comm.*) [185]; Edinburgh Provisional Order Confirmation* [205].

Report—Vice Admiralty Courts Act Amendment* [155]; Public Records (Ireland)* (*re-comm.*) [185]; Edinburgh Provisional Order Confirmation* [205].

Considered as amended—Railways (Guards' and Passengers' Communication)* [39].

Withdrawn—Representation of the People (Ireland)* [115].

The House met at Two of the Clock.

PARLIAMENT—MORNING SITTINGS.

QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he proposed to continue the Morning Sittings at Two o'clock and the Evening at Nine o'clock after the month of June? The result of this arrangement had been most satisfactory in the morning, but in the evening the House had often been very thin indeed. It was understood at the time the arrangement was entered into that these Morning Sittings would not continue after one month.

The CHANCELLOR of the EXCHEQUER: This is a question which I should wish to leave to be decided entirely by the wish of the House. It was not proposed as a general arrangement; and I should not recommend the House to adopt it as a general arrangement. I asked the House to agree to try this new plan for the better progress of a Measure of great importance, in which both sides of the House felt equally interested; and I think I may presume to say that, as regards that Measure, the arrangement has been eminently successful. I am not at all prepared to say that, under ordinary circumstances, such an arrangement would be the best which the House could make. Under any circumstances I should wish to consult the feeling of the House. But my impression is that, in the position in which we find ourselves, it would be wise on the part of the House not entirely to withdraw from the arrangement. I should be inclined to propose, if it meets with general approval, that for another month the power of meeting at Two and at Nine o'clock should be continued, but in a modified form; so that it would not be a matter of necessity, but the Government would be able to avail themselves of the privilege until they see the Reform Bill fairly out of the House. After that we may perhaps find it necessary to recur to our normal state of Morning Sittings, if we have Morning Sittings at all. But if the House should wish to meet at Two o'clock, my desire would be to comply with that wish, in order that there might be discussion upon some questions of great importance which of late have been unfortunately neglected.

SIR GEORGE GREY said, he presumed the right hon. Gentleman would place a Notice on the Paper, so as to afford the House an opportunity of expressing their views on the matter.

THE CHANCELLOR OF THE EXCHEQUER said, he had already done so.

SIR EDWARD BULLER said, he wished to know whether the right hon. Gentleman would consider the desirability of the House meeting at Two o'clock on Wednesdays? ["No, no."]

THE VICEROY OF EGYPT—QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the statement contained in the public papers, to the effect that his Highness the Viceroy of Egypt is to be lodged at Mr. Larkins's private house during his residence in this country, is correct? This was a most important Question, and Egypt was a most important country, as far as this kingdom was concerned. He did trust that when the Ruler of that country came here we should be able to give him a reception suited to his rank.

LORD STANLEY: The statement, Sir, which has appeared in the newspapers, is so far correct that, as I understand, it was the original intention of the Viceroy to take up his quarters in the manner described. But upon hearing of his intended visit, sympathizing entirely in the opinion which my noble Friend has expressed, I thought it my duty to communicate with the Viceroy, and, on behalf of the Government, I addressed to him an invitation to take up his residence in London during the few days he passes in England, and be received as the guest of the State. That invitation, I am happy to say, he has accepted. Rooms have been prepared at Claridge's Hotel—rooms, I may remark, which have been occupied on former occasions by other crowned heads who have visited here—and we will take care that all due honour shall be paid him both at his landing, upon his journey, and his arrival in London. I am sure it will be the general feeling, both in this House and out of it, that we ought to do what is in our power to show proper courtesy and respect to a Ruler who has always shown great goodwill and readiness to oblige where we have been concerned—a goodwill which is very important to us.

REPRESENTATION OF THE PEOPLE BILL.—QUESTION.

MR. PEASE said, there was a rumour that the Government had accepted or would accept the Amendment of the hon. Member for Liverpool (Mr. Horsfall) with regard to Schedule D, and he would therefore ask, Whether, if so, Mr. Chancellor of the Exchequer proposes any alteration in the enfranchising portion of the Schedule which the right hon. Gentleman has given notice to amend with regard to the boroughs?

THE CHANCELLOR OF THE EXCHEQUER: Sir, if the Government consent to alter the Schedule they will propose any changes in it which may be necessary; but I must decline to answer these contingent inquiries of the hon. Gentleman.

IMPORTATION OF FOREIGN CATTLE.

QUESTION.

SIR GEORGE STUCLEY said, he wished to ask the Vice-President of the Council, Whether it is not expedient that enclosed markets, provided with lairs and slaughterhouses, should be established at the Ports where the entry of Foreign Cattle is permitted; that markets should be held there; that buyers should buy as at other markets; that cattle should not be removed alive, but killed or detained alive in lairs; and that importers not selling on one market day might hold the cattle over to the next?

LORD ROBERT MONTAGU said, in reply that the Privy Council, some days ago, gave directions for the preparation of an Order exactly in accordance with the views of the hon. Baronet. That Order had been passed that day. Any port in future might obtain a licence for an enclosed market for the sale of foreign cattle. The cattle must be killed within six days, and in no case might the cattle leave the enclosed market alive.

THE BOARD OF WORKS.—QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for the Home

Department, Why a Return ordered by the House on the 26th of March, relating to the Board of Works, has not yet been laid upon the table, and when it will be?

Mr. GATHORNE HARDY, in reply, said, he had received, from the Board of Works, an explanation of the delay which had occurred in the production of certain returns. The fact was that the analysis required was so difficult that it would be at least two months before it would be ready.

REPRESENTATION OF THE PEOPLE.—THE LODGER FRANCHISE.

QUESTION.

Mr. GLADSTONE said, he wished to ask Mr. Attorney General, Whether, in the judgment of the Law Officers of the Crown, an occupier of furnished lodgings will be admissible to the franchise under the Reform Bill, provided such lodgings are of the clear annual value, if unfurnished, of ten pounds or upwards?

The ATTORNEY GENERAL: Sir, the occupiers of furnished lodgings will be admissible to the franchise under the Reform Bill in the case supposed by the Question. The words used are the words of the right hon. Gentleman, taken from the measure of last Session, and they appear sufficient to express the object desired.

BRITISH COMMERCE AND THE COLUMBIAN STATES.—QUESTION.

Mr. GRAVES said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the attention of the Foreign Office has been called to the compulsory discharge of the cargo of the steamer *Caribbean* at Santa Martha, on her way to Carthagena; and whether any steps have been taken for recovering possession of the cargo, or insuring due protection to British commerce during the revolution in the Columbian States?

Lord STANLEY said, in reply, that, in consequence of a private communication he had received that morning from his hon. Friend, he had carefully examined the despatches from that part of the world to see whether he could find any allusion to the transaction referred to but he could not find any. The story would probably reach him by the next mail. He was not surprised to hear of such a case in the state of civil war and revolution which now existed in those States. Of course it was impossible to say what action or whether any action could be taken on an *ex parte* statement, but his hon. Friend might be sure that all that was proper would be done to protect the rights and interests of British subjects.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 27.]

Bill *considered* in Committee.

(In the Committee.)

New Clause (Mode of demanding Rates).

The ATTORNEY GENERAL said, that, on a former occasion, it appeared to be the general feeling of the House that some provision of this kind should be introduced, and the Government had therefore consented to bring up a clause on the subject, the effect of which would be that no elector would be disqualified for not having paid the rate unless the rate had been duly demanded of him:—

> "Every poor rate payable from an occupier in respect of any premises capable of conferring upon him the Parliamentary Franchise under this or any other Act, shall be demanded of him by a requisition or demand note wholly or partly in writing or print, which requisition or note shall be deemed to be duly served if the same is delivered to the occupier, or left at his last or usual place of abode, or with some person on the premises in respect of which the rate is demanded; and no rate shall be deemed to be payable within the meaning of this or any other Act as aforesaid, until the expiration of seven clear days from the service of such requisition or note,"—(*Mr. Attorney General,*)

—*brought up*, and read the first and second time.

Mr. DENMAN remarked that when he brought the subject forward the other night the Committee were of opinion that some such clause should be introduced, and the Attorney General undertook to prepare one. This clause fairly meets the object of the Committee.

Mr. MARSH opposed the clause, contending that one effect of it would be that the overseer could enfranchise if he liked the very *residuum* of the population. The Committee ought also to take into account the inconvenience and expense of the proposed proceeding. There were in most places six rates a year, and the sending of a letter by post in each case would therefore cost 6*d*. If a man had money to receive he would gladly go for it; was it not the duty of a man who had money to pay to go and pay it? Another inconvenience would be that electioneering agents would ferret out those who had not paid the rates; and the revising barrister, who in ordinary cases had only to decide whether a man had paid his rate or not, would have now to inquire also whether the rate had been properly demanded?

MR. ROEBUCK said, that the consideration of the Committee ought to be directed to this point—namely, what class of persons would be admitted by this clause? Why, they would be persons who did not pay their rates; for if the overseer favoured a particular party he would not call upon them to pay. They could say then that they paid all the rates demanded of them, and would therefore be entitled to vote. But what happened under the present system? The only persons kept out were unworthy. When hon. Gentlemen said that this was an enfranchising clause he accepted that statement. It was a clause that would enfranchise the worst part of the population.

SIR EDWARD BULLER thought that the clause was improperly worded. He did not see how it was possible that a rate should not be payable until seven days after the demand, and yet that the demand could not be made until the rate was payable.

MR. MILNER GIBSON observed that there were a considerable number of small occupiers upon whom it had had not been the practice to serve any notices, inasmuch as the rate was paid by the owner. He believed that whatever arrangement they might make in that House, some such system would be continued from the facilities it afforded parishes to collect the rates. There would be many people from whom it would be idle for the overseers to expect payment, and whom they would not therefore serve with any demand; and yet those persons would obtain the franchise under the clause—not by reason of payment of rates, but from their inability to pay. That would be inconsistent with what was said to be the principle of the Bill, which made the personal payment of rates the qualification for the franchise.

MR. VANCE remembered that this clause had been forced on the Government, against their wish, at a moment of considerable excitement in the House, and when hon. Members were not allowed to give their opinion. He looked upon the clause as most mischievous.

MR. GLADSTONE said, he believed that his hon. and learned Friend the Member for Tiverton (Mr. Denman) was responsible merely for the principle of the clause, and not for the mode in which it was proposed that that principle should be carried into effect. It seemed to him that there was great force in the objections which the hon. and learned Member for Sheffield (Mr. Roebuck) and his right hon. Friend the Member for Ashton-under-Lyne (Mr. Milner Gibson) had stated to the clause as it stood; while, at the same time, he could not help thinking that it was only fair to recognize the general principle that a man should not be disfranchised for the non-payment of a rate which had never been demanded of him. They might get rid of that difficulty, either by omitting in the Report the words in the previous clause which declared that the demand should be made in the manner afterwards to be provided, or else by framing the present clause in the mode which had been originally proposed by his hon. and learned Friend the Member for Tiverton.

MR. ROEBUCK suggested that it should be provided that the posting of the notice of a rate on the church door should be deemed a sufficient demand of it. He candidly confessed that he was not prepared to afford special facilities for the attainment of the franchise by the class of voters to whom the clause, as it then stood, would mainly apply. There existed, he thought, some danger in that respect, and he wished to see every possible safeguard established against that danger.

MR. MARSH said, that every ratepayer would have six clear months for ascertaining that he was liable to the payment of rates, and that was as much as could reasonably be required.

MR. DENMAN said, that the objections which had been made to the clause had not occurred to him in reading it over, neither had they occurred to those among his constituents whom he had consulted upon the subject. He should, however, be prepared to adopt any modification of a proposal which might be thought necessary for the attainment of the object for which it had been made.

MR. P. A. TAYLOR said, he hoped the Government would adhere to the clause, for otherwise overseers might intentionally disfranchise persons by omitting to demand the rate.

MR. ROEBUCK pointed out that if a notice on the church door was declared a sufficient demand, nothing would be left to the nonfeasance or malfeasance of the overseers, since they were bound to put up such a notice. Insolvent persons might thereby be disfranchised, but no solvent person would; for, knowing that the parish wanted the rate, he would take care to pay it.

MR. HENLEY said, he thought that the posting of a notice on the church door could hardly be considered a legal demand, and he would therefore suggest either that the words in the former clause, which declared that the demand should be made in the manner to be afterwards provided, should be struck out on the Report, or else that the demand should be clearly defined in some such manner as that proposed by the present clause. He should rather for his part see the former course adopted, and compel every person who claimed the franchise to pay the rates.

SIR WILLIAM HEATHCOTE said, believed the best course would be to amend the previous clause on the Report, there being much force in the objections which had been taken to this clause by Members opposite. Hitherto no demand had been required, and this had worked exceedingly well. ["No."] At the beginning of the Session it was not thought an extravagant demand upon the compound-householder that he should go and make his claim, that he should sustain it at a considerable loss to himself before the revising barrister, and that he should obtain the vote at a pecuniary sacrifice. Now, however, it was thought too much to expect him to go and find out whether he had to pay a few shillings or not. He certainly thought that the sacrifices demanded from the compound householder were unreasonable, but, now, they were about to be unreasonable in the other direction. The Bill would only disfranchise those who would not take the very little trouble required to obtain the votes, while, under the clause, the class who would retain their votes would be precisely those whom the Government did not want on their rating principle, and who would defeat it, for they would be the men whose rates the overseers knew it would be perfectly useless to ask for.

MR. M'LAREN remarked that he had occasion to know a good deal about the collection of rates on the system described in this clause, and he held that the clause was one of the very best clauses which any man could frame for a Bill of this kind. If the overseers went to make a demand for rates from the very poorest classes they might go ten times and always find the house shut. They would find nobody at home unless a call was made at six o'clock in the morning or eight o'clock in the evening. A personal demand was therefore out of the question. If, however, they left a slip of paper of this kind, containing the amount of poor rates that was due, it could be slipped under the door or given to one of the children. Causing a notice to be affixed on the church door would be only a notice to those persons who went to church; and it was a notorious fact that a large number of the poor people did not go to any place of worship at all; while a large proportion of those who did attend worship on Sunday, went to other places of worship than the parish Church. It would be necessary, therefore, to provide that the notice should be affixed upon the doors of all places of worship. The system of sending slips was a good deal better for this among other reasons, that the overseers would collect a good deal more money by it.

THE ATTORNEY GENERAL said, it was not his duty to defend the policy of the clause. To that policy he had on a previous occasion offered his opposition. It was not supported by Her Majesty's Government; but there was a general feeling that there should be a demand of the rate, since it was proposed to make the payment of rates the qualification of the voter. The Government undertook to prepare a clause, and he had done so. He was glad to hear an hon. Member opposite express his belief that it was an honest clause. He believed, also, that it was accurate, and it provided that rates referred to in Clause 6 should not be deemed payable within the meaning of the Act unless after a certain notice. He took upon himself the responsibility of the clause, and he did not think hon. Members would mend it. However, he left the clause in the hands of the Committee.

MR. GLADSTONE hoped the Committee would not re-open the discussion as to whether there should be a demand or not for the payment of the rates, as that matter had been disposed of, and they ought to adhere to that principle.

SIR PERCY BURRELL thought the clause was objectionable.

MR. ROEBUCK said, that if the principle of demand were admitted, then came the question, what sort of demand? If they said a demand should be that which was published upon every church and chapel door—["No, no!"]—then that might be considered a legal demand, and it would get rid of all the difficulties which had been suggested.

MR. WATKIN said, it was the right of every man to know what he was assessed, and what his rate would be. Notice on a church door was simply a notice that a rate had been made.

VISCOUNT CRANBORNE said, that the principle upon which they had hitherto gone was enfranchisement by payment of rates. They were now about to introduce a new principle of enfranchisement by neglect of the overseer. If the overseer did not choose to leave this paper upon people whom he knew would never pay the rates, they would have men who could never pay their rates put in shoals upon the register. He quite agreed with the right hon. Member for South Lancashire that notice ought to be given; but let them not say that everybody whom the overseer should neglect to visit should *ipso facto* become a voter.

MR. HENLEY wished to know whether the noble Lord had considered what they had already enacted. The Committee had already agreed that the rate should be demanded. Now, he should like to ask the Attorney General, whether the notice of the rate on the church door would be a demand; because, if it be not, then they ought to define what should be a demand.

MR. ROEBUCK said, that if the Act declared that the publication of the rate on the church door should be a demand, it would become a legal demand.

MR. MITFORD suggested that notice should be sent through the Post Office.

THE ATTORNEY GENERAL said, that notice on a church door was not a demand; but they make that Act say it should be, or if it were sent through the Post Office.

MR. MONTAGU CHAMBERS said, it was the rarest thing in the world for a person entering or coming out of the church to stop to read the publication of the rate. It was but fair that the persons whom this Bill would enfranchise should receive notice that they were assessed at a certain rate, and that there was a certain time within which it should be paid. If then they did not pay the rate, they themselves would suffer.

MR. VANCE said, his objection to the clause was that it would enable overseers or collectors of rates, without any limit, to enfranchise those who would have no right to be upon the register.

MR. GORST said, the consequence of passing this clause would be that overseers would be able to make arrangements with landlords for the payment of the rates, and thus the system of compounding would be indirectly continued, and yet every householder would be upon the register.

LORD JOHN BROWNE said, that the objections raised to the clause would be removed if they were to enact that, in the event of the overseer not demanding the rate from the householder within a certain specified time, he should incur a penalty. Unless that were done, great political power would be placed in the hands of the overseer, who might qualify a great number of the most wretched class of the community, who never had any intention of paying their rates.

MR. SERJEANT KINGLAKE said, the difficulty in which the Committee was placed arose from their having altered one of the clauses already passed by inserting the words "which have been demanded of him in manner hereinafter mentioned." That involved them in the necessity of defining some specific mode in which the demand must be made. He thought the suggestion that the overseer should be liable to a penalty for not making a demand was a very good one, and, if adopted, the vote of the elector would not depend on the caprice of the overseer, or on whether he chose to make a demand or not. The words "in the manner hereinafter mentioned" should be struck out of the clause to which he had referred on the Report.

ADMIRAL DUNCOMBE said, he thought every facility ought to be afforded the voters in that matter, and that there should not be a mere notice posted on the church door, but that the overseer should inform each person what he had to pay.

MR. CANDLISH said, that the Committee were greatly indebted to the Government for having brought forward this clause, and he hoped that they would not be induced to withdraw it. A notice on a church or chapel door did not mean that the rate book, with the amount due from each ratepayer written against his name, was hung up for anybody to read it, but it was simply a notification that a rate had been made.

MR. W. E. FORSTER said, he could not help thinking they were in some danger of re-opening the most important part of the Bill, making the franchise dependent upon the personal payment of rates on demand for them being made. The hon. and learned Member for Sheffield (Mr. Roebuck) seemed now to propose a perfectly fresh interpretation for the word "demand," by making second notice equivalent to demand. This was contrary to the common-sense view of the matter, and, if adopted by the Government, would be no better than breaking faith with the public and the Opposition, which had supported the measure on the contrary understanding.

Mr. DARBY GRIFFITH said, he thought the hon. and learned Member for Sheffield had correctly interpreted the effect of the clause; but he doubted whether the Government were aware of what they were doing. Consciously or unconsciously, they were giving up the whole question of the personal payment of rates, and were, in fact, placing the question in precisely the same position as if they had accepted the Motion of the right hon. Member for South Lancashire. It was important that the House should know the view they really took of the question; but it looked very much as if they were throwing dust in the eyes of their supporters.

Colonel HOGG said, he did not think the Government had done anything to render themselves liable to the construction put upon their conduct by the hon. Member for Devizes, and was of opinion that they had taken the simplest way of effecting the object in view.

Mr. HENDERSON thought the clause a very good one, and suggested that, in order to make its operation complete, the overseer should be liable to a penalty of 40*s*. if he did not make the demand within a month.

Mr. SCHREIBER said, he could not support the clause without the addition of words imposing a fine on the overseer in the event of his omitting to make the demand.

Viscount CRANBORNE moved the omission of the last portion of the clause—

"No rate shall be deemed to be payable within the meaning of this Act, or any other Act as aforesaid, until the expiration of seven clear days from the serving of such requisition or notice."

He said he was perfectly ready to accede to any machinery that could be devised for securing that due notice should reach the individual of any rate to which he was liable; but he wished that this should be effected by a penalty on the overseer in case of his failing to send notice, and not by the loss of the franchise to the voter in case of his failing to pay the rate. His object was that the franchise should not be made dependent upon the failure to give notice.

Amendment proposed, to leave out all the words after the word "demanded," in line 7.—(*Viscount Cranborne.*)

Mr. GLADSTONE said, that the objection taken to the clause as it stood was that the overseer might have an illegitimate power of enfranchising; but if the words now proposed to be omitted were left out, the overseer would have an illegitimate power of disfranchisement, subject to a penalty. Why not rather leave him the illegitimate power of enfranchisement, subject to a penalty?

Mr. DARBY GRIFFITH said, he thought that the House was entitled to have the opinion of Her Majesty's Government on the questions that had been raised in the course of the discussion.

Question, "That the words proposed to be left out stand part of the Clause," put, and *agreed to.*

Lord JOHN BROWNE then moved an Amendment to the effect that the overseer should be bound to make the demand of the rate within one month after the publication of the rate; and should be liable, in the event of neglect to do so, to a penalty of £1 in each case.

Amendment proposed,

At the end of the Clause, to add the words "it shall be the duty of the overseer or collector to make such demand within one month of the publication of the rate, and if he should neglect to do so, he shall incur a penalty of one pound in each case."—(*Lord John Browne.*)

Mr. Serjeant GASELEE thought it would be hard to fine the overseer £1 if he forgot to demand the rate within a month. He recommended that the whole clause should be got rid of.

The SOLICITOR GENERAL suggested that the overseer should only be subject to a fine in case of "wilful" neglect.

Mr. ROEBUCK said, that it was quite clear that bribery would now be the simplest thing in the world. Candidates disposed to bribe needed no longer to bribe the constituency, but only the overseer.

Mr. AYRTON said, that the House had been got into a difficulty by the Amendment of the hon. and learned Member for Tiverton, and perhaps the best thing they could do would be to retrace their steps altogether.

Question put, "That those words be there added."

The Committee *divided:*—Ayes 48; Noes 327: Majority 279.

On Question, "That the Clause stand part of the Bill,"

Viscount CRANBORNE said, the last division showed the result of hon. Members voting upon a question which they had not heard discussed — but he wished to make another appeal to the Committee to consider the importance of the matter they were now discussing. What this clause enacted was, that every overseer in the country should have the power, by the simple act of neglecting to send the papers round, of enfranchising persons who could not pay their own rates, and who therefore according to the principle of the Bill, were ineligible for the franchise. There was no motive of a local or pecuniary kind to induce the overseer to send round the papers, because the very people who would be enfranchised by his neglect were the people who could not pay their rates; to whom, therefore, for the purposes of the parish, it would be utterly useless to send the papers. The passing of this clause would therefore be the establishment of household suffrage without the personal payment of rates. Nothing in the late debate had surprised him more than the absolute silence of the Government on the proposal. Not a single Cabinet Minister had spoken. The intentions of the Government had varied so much from week to week and from month to month—or perhaps, to speak more accurately, their plan had been unfolded so gradually—that he wanted to know whether this was a consecutive part of it, and whether the Committee was now to learn that household suffrage without personal payment of rates, was really their original plan—but that they did not like to load the ship containing such valuable cargo, with that which might have sunk it at the first. The Session began with a Bill which seemed to promise a very limited addition to the number of electors. Compound householders, they were informed, were erected into a barrier, in which he never believed, but which was to limit the number of admissions to the franchise. A great division was taken on the question, whether the compound householder should be admitted or not. Suddenly, however, the compound householder disappeared, on a Motion from the opposite side of the House, and all who personally paid rates were admitted. They were now taking another step in the same direction. A clause had been accepted, apparently in conformity with a suggestion by the hon. and learned Member for Tiverton (Mr. Denman), of which the inevitable tendency must be, and the effect would be, in a great number of places, to admit precisely that residuum which so many Members on both sides of the House had deprecated—those who could not pay their rates, and to whom the overseer would never care to go. He was perfectly willing to concur in any arrangement for bringing home to the knowledge of the ratepayers the amount of the rate for which he was liable; but he would entreat the House to pause before sanctioning the plan of giving to every overseer the power of putting upon the register those who, according to the principle of the Bill, were ineligible for the franchise.

Mr. LOCKE said, it appeared that there was a great deal of difficulty with regard to legislating upon this clause, and he thought the best course for them to pursue was to leave the electors, enfranchised under this Bill, in the same position as the £10 householder occupied under the present law. If they negatived this clause no very great inconvenience would result. The only thing that would occur would be that the hon. and learned Member for Tiverton would be shown to be a false prophet, he having introduced into a preceding clause certain words to the effect that a demand should be made upon the voter "as hereinafter mentioned." But suppose they mentioned nothing at all hereafter? In that case things would stand very much as they were; but if it were desired that the Bill should look well, and should not contain unnecessary words, they might strike out the hon. Member's words on bringing up the Report.

Mr. ROEBUCK: I will make a very serious appeal to the Government; I think I have never taunted them in any way for their changes or their difficulties, for they have had great difficulties to contend with, and I think that the conduct of this Bill does the highest honour to the Chancellor of the Exchequer. Therefore he will get no taunt from me; but I must warn him now that I find no standing place in this

Bill between the £10 franchise and the point at which we have arrived. We have surrounded that point with certain safeguards, those of residence and payment of rates. By these means you will eliminate from the constituencies those whom I desired to see eliminated. I make no pretence about the matter. I have never talked as if I meant to "palaver" the people, and then turned round in a fright and become a prophet of evil. That has been done by many persons. Now, if we do away with these safeguards what will occur? In the first place we throw a large, important, and terrible power into the hands of uneducated men. In their hands we shall place the determination of many important elections in this country. That is the first thing. But what will be the second? Why, that we shall expose those men to the greatest possible temptation. There is the greatest difficulty at present in bribing. There will be no difficulty, then for when you get this power concentrated in the hands of one man, and that power is open to temptation, you know what will happen. What would be to one man a fortune would not be able to bribe a constituency. That is no fanciful supposition; it is only too likely to be the fact. I appeal then to the right hon. Gentleman the Chancellor of the Exchequer—I appeal to the right hon. Member for South Lancashire—I may really make an appeal to the Gentlemen on both sides. We are a great people, and have lived a long life as a nation, and we are now taking an important, and, as some think, a very dangerous step. I am and have been prepared to take that step, and to support the Bill; but upon this occasion I must confess that the matter is so serious that I am terrified at the prospect before us. I do not want to live to see the greatness of my country ruined. I do not want to hand over the reins to ignorance and vice; and ignorance and vice will rule if the rabble are let in, as they will be if this clause is carried.

Mr. DENMAN was little prepared, when he made his proposition, to be afterwards told by the hon. and learned Member for Sheffield (Mr. Roebuck) that it would be ruinous to the country; but as they had been told so, of course they must all bow to the *ipse dixit* of the hon. Member. The hon. Member for Southwark (Mr. Locke) took a narrow and disfranchising view of a question with respect to which he had always entertained Liberal opinions. How did the matter stand now?

It was well known that in many parishes the overseers were purely political partizans, and were frequently in the habit of letting the day go by without any notice to those who happened to disagree with them, and those persons, of course, were disfranchised, while due notice was given to those who were of their own political opinions, and they were put on the register. It was under that state of circumstances that he proposed that the voter should not lose his vote unless the rate had been previously demanded of him. If the Government now shrunk from supporting the clause, they would have deceived him, and have deceived the country; and, if this clause were rejected, he should feel it his duty to bring up a clause upon the Report to carry out the object.

Mr. RUSSELL GURNEY thought that the hon. and learned Member for Southwark was not quite right, for the fact was that if they rejected this clause and did nothinig more, then everybody would be entitled to vote, whether he had paid his rates or not. The provision was that a man should have his vote when he had paid the rates which were due and had been demanded; and if they had not been demanded he would be entitled to be put upon the register whether he had paid them or not.

Mr. GATHORNE HARDY: I quite agree with the hon. and learned Member for Sheffield (Mr. Roebuck) that this question is one of a very serious character as affecting the principle of the Bill. So much, indeed, do I feel that to be the case, that even if I had had a strong feeling in favour of the course proposed by the hon. and learned Member for Tiverton (Mr. Denman), and had been convinced in the course of the debate that I was wrong, I should have no hesitation in avowing my change of opinion. We did not, however, on a former occasion, accept the proposal of the hon. and learned Gentleman further than this—that the Attorney General undertook to put the clause in shape and bring it before the Committee, and in introducing it this afternoon he said he left entirely in their hands. For my own part, I very much prefer the plan which is adopted under the present state of law, and I am fortified in that opinion when I look at the Act of 6 *Vict.* Not only is there the original publication of the rate, but a precept is sent by the clerk of the peace to the overseers requiring them, on or before the 20th of June, to affix a notice on the outer door or wall of every church and chapel, whether belonging to the Established Church or not, and in case of there being no such building, in some public or conspicuous place in the parish. That notice is to remain there during a period including two Sundays at least, and it is to this effect:—That no person shall be entitled to have his name inserted in any list of voters, in respect of the occupation of any premises, unless he shall pay on or before the 20th of July all poor rates which have become due in respect of such premises during the twelve calendar months next before the 6th of April last. —This warning is given just before the registration comes on and is well known in every parish, and ample publicity therefore is given. Under these circumstances, I do not hesitate to say that this clause is not required, and that it would not have a beneficial effect.

MR. LOCKE contended that if no manner was thereafter mentioned, no demand would be necessary. It would, however, no doubt be better, if this clause were rejected, to strike out those words on the Report.

THE CHANCELLOR OF THE EXCHEQUER: I only wish to make a remark in consequence of the silence which has been imputed to me during this discussion. It seems to me the position of the Government with regard to the clause has been altogether mistaken. There can be no doubt that some time ago when the Amendment of the hon. Member for Tiverton was before the Committee, the influence of the Government with the Committee was at that time somewhat slight. There is no doubt, on that occasion, the opinion of the great majority of the House was in favour of the suggestion of the hon. and learned Gentleman, though the opinion of the Government was not in its favour. The Attorney General and others expressed an opinion against the suggestion of the hon. Gentleman; but there is no doubt the predominant opinion of the Committee was, to a very great extent, in favour of the suggestion; and had the opinion of the Committee been called for on that occasion, a very large majority would no doubt have sanctioned the proposal. Under these circumstances, there was no division, and there was an understanding that the clause should be brought forward, and we were asked that the Attorney General should undertake the duty of bringing it forward. We considered ourselves bound in honour to bring forward this clause, and not only to bring it forward merely to fulfill the letter of our engagement, but so as to place the hon. and learned Gentlemen (Mr. Denman) in the position he would have been in if the division had taken place that night. I myself have the same objection now to the policy of the clause which I felt on the previous night; but I think that a Parliamentary engagement ought always to be sacredly kept. Having taken that course, we hold ourselves at perfect liberty on a future occasion, such as the Report or some future opportunity, to ask the opinion of the House on the subject. The opinion of the Committee is now very different from what it was when the hon. and learned Gentleman first called our attention to the matter. The Committee will have an opportunity hereafter of discussing this question, but I hope they will admit that the Government have fulfilled the public engagement into which they entered.

MR. GLADSTONE: Sir, I understand it to be the intention of the right hon. Gentleman to vote for the clause which is now in your hands. That is a very important declaration, and the speech in which it was conveyed is much more satisfactory, and, as I think, more consistent with the spirit of the engagement entered into on a former occasion, than the speech of the right hon. Gentleman the Secretary of State for the Home Department. There are involved in this discussion principles of the utmost importance, not with regard to this Bill merely, but with respect to the terms on which the Executive Government, when in charge of important measures, deal with Members of this House. If I may trust to my recollection of what took place on the previous debate, the Chancellor of the Exchequer confined himself to criticising the language of the proposal, and said he thought that some difficulty might arise out of the word "duly," and the Solicitor General objected that we ought not to place the voter under £10 in a more favourable position than the voter above £10. This objection was met on this side of the House by the reply that it was very easy to provide for both, and that the demand should be a condition before the obligation of paying the rate. Perceiving the sense of the Committee on that occasion, the Government, not having committed themselves in opposition to the principle of the clause, and having only expressed doubts with regard to accepting it, did, notwithstanding, accede to the principle of the Motion, and made that Motion their own by promising that a proper clause should be drawn to give it effect. That promise the Attorney General has carefully and honourably fullfilled; but it was doubtful whether it was consistent with the spirit of that promise, that when the clause was under discussion the Secretary for the Home Department should rise in his place, and say, he was perfectly indifferent whether the clause was accepted or not. On all such occasions it is, as far as I know, the practice of Members to trust implicitly to such an acceptance on the part of the Government. I am far from saying that it is a binding acceptance under all circumstances whatever, but it is a binding acceptance—and the Chancellor of the Exchequer has so recognized it—to the extent of giving a *bonâ fide* support to the proposal when it is made in their own terms; and it is not compatible with that engagement that a Cabinet Minister should say he viewed its acceptance or rejection with perfect indifference. I have, I must say, heard with surprise the speech of the hon. Member for Southwark, because, in this matter, there is involved the question whether there shall be a demand for rates, and whether that demand shall be the absolute condition before the voter forfeits his privilege of the franchise for the non-payment of rates, and also the question of the form in which the demand should be made. With regard to the form, it is not for me to give a strong opinion, but I do venture to give a strong opinion on the principle of demand, and, whether the Committee be favourable to the form of proceeding or not, I give notice that I shall regard no vote of the Committee as having the slightest effect with respect to those words, which, at the most critical period of this Bill, were inserted in the 3rd clause, and in which the principle of demand was solemnly asserted. The Committee may retrace their steps, and may efface the principle of demand from the 3rd clause; but do not let it be supposed by the hon. Member for Southwark that this will be accepted as a matter of form, or regarded as other than a matter of the gravest moment. For, if that principle of demand be struck out, in my opinion the whole question of personal rating is re-opened, and this Bill will have to be fought over again.

The ATTORNEY GENERAL said, he wished to explain the position in which he stood. He felt bound to place his hon. and learned Friend (Mr. Denman) in the same position in which he would have been if he had carried his Motion on the previous occasion. Beyond that he regarded himself as in no way bound. If his hon. and learned Friend had carried his Amendment on the previous night, he should have felt at liberty to oppose the proposition upon the Report, and even if the clause were carried on the present occasion with his vote, he should still feel at perfect liberty to oppose it upon the Report. The principle of the proposal had been acceded to by the House; and all that he had undertaken was to put it into more accurate language than had previously been used, and certainly he had not expressed any approbation of the clause.

Mr. DENMAN said, he had no doubt that the Attorney General would consult his own feelings and those of other persons in every step which he took in reference to this Bill. If the Attorney General had not consented to the course he had undertaken to take on the 3rd clause, he (Mr. Denman) would never have permitted that clause to stand part of the Bill without a division; and in many things which he had done or left undone in the course of this Bill, he had been guided by the belief that the Attorney General would take the course which he had now taken.

Question put, "That the Clause be added to the Bill."

The Committee *divided*:—Ayes 205; Noes 207: Majority 2.

Mr. GLADSTONE: I rise to move, Sir, that you report Progress. ["Oh, oh!"] I do this, Sir, not for the purpose of cutting off what remains of this day's sitting from the prosecution of its business when the usual time for resuming it arrives, but in order to enable me to make the remarks for which, I think, the occasion calls. We heard, in the discussion which preceded the last division, three speeches from Members of Her Majesty's Government. On the speech of the right hon. Gentleman the Secretary of State for the Home Department I have already taken the liberty to comment. The speech delivered by the hon. and learned Attorney General went further even than the speech of the Secretary of State for the Home Department. I wish to call attention to the character of the learned Gentleman's declaration, as affecting the relation between the Executive Government and the House of Commons. The hon. and learned

Gentleman stated that when the Government had accepted a Motion made in this House, and had undertaken to give it effect, the obligation which he felt to be incumbent on him, as the organ of the Government for the purpose of giving it effect, was to sustain it with his personal vote on the first occasion, and to do no more. I wish to know, Sir, whether it is to be established as a rule, for all times and all subjects, that this is the extent of the significance which is to be attached to the proceedings of a Government when, after debate, and for the purpose of avoiding defeat, the Government accept a suggestion from an opponent; because I tell the hon. and learned Gentleman that, in the declaration which he has made, he strikes a deadly blow at all those principles of confidence between the Executive Government and the various portions of this House, by which alone, amidst all our controversies and all our differences, it becomes practicable to carry on the public business. Sir, the speech of the right hon. Gentleman the Chancellor of the Exchequer was susceptible of a very different interpretation, and I certainly thought it my duty to give that speech a fair and candid interpretation. I understood that speech to imply not that the Government, by accepting any proposition, bound itself for all times and all circumstances, because changes might take place in the whole body of the House with regard to a proposition of that kind, and it would be absurd to strain the obligation to such a point; but I understood the right hon. Gentleman to say—and I took his words as I believe them to be meant—that it was the duty of the Government to give a *bonâ fide* support to a proposition so adopted, and to recommend it by the use of its fair and legitimate influence to the acceptance of the House. I wish to know, Sir, whether that pledge has been fulfilled; I wish to know whether that influence was used; I wish to know whether the Members of the Government itself who were present in the House during the discussion voted for the clause which they, as a Government, promised to propose, and by the promise to propose which they escaped from defeat on a former occasion. I wish to know what course was taken by the right hon. Gentleman the Home Secretary. Perhaps the right hon. Gentleman will kindly inform us, with regard to his Colleagues in office, whether he, and whether they, without exception, set that example to their party—which was the very smallest thing that we had a right to expect and demand—that they should vote uniformly in support of that clause. For the purpose of obtaining those explanations it is that I make the Motion which I have just submitted to the Committee. With respect to the subject of the division itself, I need not enter upon it at this moment, because there are there mixed up the question with regard to the principle of making a demand on the ratepayer for the payment of his rate, and the question of the particular form of giving effect to that principle. It is quite plain that if the majority of two which has just been declared intend to give effect to their views, it must be by ulterior steps. With respect to those ulterior steps, I have already taken the liberty of giving fair notice that I, for one, regard them as re-opening every question relating to the principle of the borough franchise. ["Oh, oh!"] Those who think fit to unsettle decisions solemnly arrived at by the Committee—arrived at, as the Chancellor of the Exchequer very fairly stated, with an evident and general concurrence—on the most vital clause of the Bill—those who feel themselves at liberty to unsettle such decisions set an example which other Members are at liberty to follow. It is not in the exercise of an abstract right that I should think of following an example which I conceive to be so mischievous and injurious; but it is because my apprehension is, that the effect of such a proposal as that of simply erasing the condition of a demand for payment from the 3rd clause of this Bill would be to convert the household suffrage which you have given into little better than a mockery as regards the great majority of the boroughs of this country; and to such a delusion being practised on the people of England, I, for one, will be no party.

THE ATTORNEY GENERAL: While Sir, I desire not to lay down any general rule for the guidance of this House in the matter of arrangement between opposite parties, I claim the right of vindicating the course which I took on a former occasion, and which I have taken to-day; and I say it is consistent with every principle of honour and every principle of fair action. Sir, we did not accept the vote, or rather we did not obtain the vote, of my hon. Friend the Member for Tiverton on the 3rd clause by offering to make a concession to him in return on the question as to the demand of payment of rates. [Mr. DEN-

MAN: I beg my hon. and learned Friend's pardon.] As far as my recollection goes, and as far as I have taken part in the transaction, it was simply this, that there was a proposal made for demanding rates as a separate and independent question, and the feeling of the majority of the Committee was that such a demand should be rendered necessary. The Government acceded to that as being the view of the Committee on that point, but that was not a concession by the Government in order to obtain something in return. It stood as a simple, independent question whether there should be a demand for payment or not. My hon. and learned Friend the Member for Tiverton introduced words for the purpose of requiring that there should be such a demand. It was thought by the Committee that his words were not satisfactory; and I was willing merely as the Minister of the House in reference to this matter, to draw up a clause. It was in that spirit that I undertook to draw up the clause, and in that spirit it was drawn up accordingly. Having done that I did all I was bound to do; I did what was necessary to enable my hon. and learned Friend to put himself in the position he would have occupied if he had carried his proposal on the former evening; and I say that the only position he could then have been in if he had carried his proposal would have been this—that a demand of payment would have been required. That I sought to effect by additional words making it clear to my hon. and learned Friend's satisfaction, and to the satisfaction of the Committee, and I believe I have done it. Therefore, I have discharged every obligation into which I entered, and I feel free to act in regard to the rest of this Bill, as I think fit. It is as open to me as to every other Member of the House to take what course I may deem right in the further discussion of this measure. In so doing I am not affected by the circumstance that I did offer to be the instrument of the Committee in drawing up that clause. Not having taken such an active part in the business of the House as some of my Colleagues, I will not speak as to the ordinary mode of proceeding; but the course I have taken in this matter is, I maintain, consistent with every principle of personal honour and of just proceeding. I have taken the course which I think is fully justified, and I do not mean for one moment to recede from it.

The Attorney General

MR. DENMAN did not wish to enter into any question regarding the personal honour or conduct of the hon. and learned Gentleman. With that he had nothing to do, for every Member of this House was the guardian of his own character and honour. But when his hon. and learned Friend said that he (Mr. Denman) was not influenced in his conduct in reference to the 3rd clause by what took place in the discussion on his proposed Amendment, he entirely joined issue with his learned Friend. It seemed to him that this principle of personal payment of rates, as adopted by Parliament, with the existing law in force, was a cruel mockery of many of the poorer class of voters, who, sometimes living a long distance from the overseer, had often to hunt him up, in order to pay their rates, and go to the church door from time to time, for the purpose of ascertaining whether there was a rate due or not. Seeing that the result would be wholesale disfranchisement of the best and most industrious of the new voters, he insisted upon the insertion of the words referred to. It appeared to him that the whole value of the 3rd clause —waiving all other questions as to whether he could regard it as acceptable or not— turned upon the insertion of those words, and it was obvious that they would have been carried upon a division had not the hon. and learned Gentleman interposed on behalf of the Government by undertaking to frame a clause which would have the same effect he (Mr. Denman), by his proposal, wished the 3rd clause to have. He (Mr. Denman) sincerely declared that if his hon. and learned Friend had not then accepted the Amendment or given a promise to frame a clause to carry out the object he had in view, he should have felt it his bounden duty to divide the Committee on the question whether the 3rd clause should be accepted or not. The Government agreed to the principle of the Amendment, and it was a matter of compromise from the first to the last, the main element of which was that his proposal was accepted by the Government. ["No!"] To his mind it was a most important compromise, tending favourably to the views he entertained. Therefore let not the hon. and learned Gentleman go away under the impression that he (Mr. Denman) did not hold both him and the Government to the Amendment. If the Government now retracted the compromise by which they had been enabled to carry their 3rd clause, they could not expect the Committee to abstain from opposing the Bill in every way, and in every stage, by delay or otherwise, so as to prevent its becoming law, for the withdrawal of this Amendment would materially alter the rights which the Committee had, by the 3rd clause, intended to confer on their fellow-citizens.

MR. GATHORNE HARDY: My hon. and learned Friend the Member for Tiverton is perfectly at liberty to take whatever course he may deem proper to prevent the passing of this Bill. In answer to the right hon. Gentleman the Member for South Lancashire, who has thought fit to challenge and to ask me what course I took in reference to the clause on which the Committee has just divided, I will tell him that I have done that which anybody who heard me speak in the House might have imagined I should have done. I did not vote in favour of a clause which I condemned, and which was contrary to my opinions. Had it not been, I may add, for the peculiar circumstance that the clause was proposed by my hon. and learned Friend the Attorney General I should undoubtedly have voted against it. The right hon. Gentleman himself has admitted that the question of adherence to implied engagements is one of degree; and that he did not wish to strain the point so far as to contend that we are always, and under all circumstances, bound to give effect to understandings which may be supposed to have been arrived at, and I would confidently ask whether an hon. Member is to yield everything to the opinion of the House and nothing to his own? For my own part, I must confess that had I formed no idea of this clause before I came down to the House this morning, I should have been convinced by what has taken place in the course of the discussion that it was one of a prejudicial character. Having come to that conclusion, I should, had it not been framed by my hon. and learned Friend, have said "no" to it; as it was, I retired from the House, and did not vote at all. I should be deeply grieved if I thought that, in acting as I have done, I violated any confidence between myself and the House, or any individual Member of it; but I do not think that any stipulation was made with the hon. and learned Member for Tiverton, further than this, that, when the point again came before the Committee, words should be introduced that would be calculated to carry out and deal with the question as the Committee thought fit. I consider that the hon. and learned Gentleman was, at the time when that stipulation was made, perfectly free to oppose the 3rd clause, and that he is perfectly free to do so now. If I have erred in the view which I have taken of the matter, I am not conscious that I have done so. What I have done has been done in accordance with my own convictions, and thus far I maintain no apology is due from me to the Committee.

COLONEL GILPIN felt, as an independent Member of the House, and one not in the habit of often trespassing upon its attention, anxious to say a few words on the present occasion, especially after the lecture from the right hon. Gentleman the Member for South Lancashire, to which the Committee had just listened. The right hon. Gentleman had commented upon the circumstance that the Committee had reversed a decision at which it had previously arrived. ["No, no!"] But was that, he would ask, a circumstance of very unusual occurrence? If he was not mistaken, decisions of that House had very recently been reversed on the Motion of hon. Gentlemen opposite themselves; and when the right hon. Gentleman asked whether the Government had used its influence or example to induce their party to support the views which he took upon the point at issue, he, as an independent Member, begged to reply that he had come down to the House with the intention to support the Government as far as he could. He listened with great attention to the debate, and it appeared to him that the Amendments were not satisfactory; but he thought the Amendment of the hon. Member for Southwark did get the Committee into a considerable difficulty. There could be no difficulty in negativing this clause, and of introducing another on the Report which should carry out the wishes of the Committee. He did not regret that the House had shown itself sufficiently independent to put into a minority the two front benches. He, at all events, had taken the course which he thought right in the matter; and he did not hesitate to say, without wishing to give offence to the right hon. Gentleman, that he believed he had been left in a minority owing to the tone which he adopted, and the threat of re-opening the whole question of borough franchise which he held out.

MR. CARDWELL: I wish to say that in my judgment this is not a question of whether the Committee in one stage of a Bill can reverse a decision at which it has arrived at another stage: nor is it a question as to the votes which independent Members are at liberty to give at any stage of a Bill. I wish to say to my right hon. Friend opposite, and to the Attorney General that I shall not make it a question bearing personally on their conduct —of that they will best judge for themselves; but there is, I think, no question more important, and the Chancellor of the Exchequer has repeatedly admitted it to be so in the course of these discussions, that we should have a distinct understanding between the Government and the House of Commons as to what is meant by the assent of the Government to any proposition which may come under our notice. I have, since I have had the honour of a seat in this House, been under the impression that if the Government proposed a clause and an hon. Member moved an Amendment to it, they might take either of two courses. They might oppose the Amendment, whatever may be the consequence, and, if unsuccessful, they would be perfectly at liberty to oppose it again at a future stage; or they might, on the other hand, assent to it and undertake to give it effect on a subsequent occasion. If they took the latter course, it would, I apprehend, not be open to them to treat it as a proposal other than their own—they must treat it, not, indeed, as their begotten, but their adopted child to which they were bound to extend all the protection in their power. How stands the present case? Into the 3rd clause of this Bill, which is the principle clause, the clause regulating the borough franchise, and the adoption of which has, I venture to say, carried the Bill to the stage at which we have now arrived, the hon. and learned Member for Tiverton proposed to introduce an Amendment. At the time the hon. and learned Gentleman might, as the Chancellor of the Exchequer admitted, have commanded a majority if his proposal were pressed to a division; but the right hon. Gentleman, as I find from the record which has been put into my hands, on that occasion said—

> "If, however, the hon. and learned Member for Tiverton would frame a clause applicable alike to the old and the new constituencies, the Government might be able to assent to it without difficulty."

The Attorney General thereupon undertook to prepare a clause to give effect to that

Mr. Cardwell

statement; and my object in rising now is not to make any personal statement, but to put a question to the right hon. Gentleman the leader of this House, and to ask him whether, under these circumstances, the Government having adopted the proposal of an independent Member, and undertaken to carry it into effect, they are not bound to give it their cordial support when the time comes for putting the proposal to the House?

THE CHANCELLOR OF THE EXCHEQUER: If the circumstances of this case were exactly as the right hon. Gentleman has represented them to be, I should certainly concur in the opinion which he entertains. I am sure the Committee will do me the justice, if they will condescend to remember the particulars of the several divisions which have taken place on the measure before us, to say that I have endeavoured scrupulously to fulfil any engagements into which I may have entered with the House. It was only a few nights ago that a division was taken in which the right hon. Gentleman himself was particularly interested. I am not bound to give my opinion upon the subject of his Motion; but I can truly say that no sooner was I acquainted that an engagement had been entered into with him than I immediately, under the circumstances, gave him my support. I have always sought scrupulously to carry out such engagements, because I look upon that as being the only satisfactory way of conducting the business of the House. I feel, at the same time, bound to say — though I supported the clause brought forward by my hon. and learned Friend the Attorney General; and, as far as I could, used my influence with those around me, requesting the four or five Gentlemen with whom I could communicate to support the clause also — that there was not, in my opinion, that complete understanding which the right hon. Gentleman assumes to have existed between the Government and the hon. and learned Member for Tiverton with regard to this matter. It is some time ago since the circumstance occurred, and I cannot speak so confidently with respect to it as about that which happened yesterday or only a few days previously; but it seems to me that the engagement entered into with the hon. and learned Gentleman was of a somewhat vague character. I cannot concur, too, with those who appear to think that the important clause in the Bill to which the Motion of the hon. and learned Member related depended on the success of that Motion. That I look upon as a perfectly preposterous view to take of the question. But the point was certainly mentioned at the time, and to facilitate the progress of the Bill the Attorney General did undertake to prepare the clause which has just been rejected. There was, however, as far as my memory serves me, no formal and full engagement made that we were, under all circumstances, to support the policy which the hon. and learned Member for Tiverton indicated. I cannot say, therefore, that I was surprised that my right hon. Friend the Secretary of State, especially after the frank manner in which he stated his views to the Committee before the division took place, should decline to vote for the clause. I do not think it was an instance of that clear and full engagement which has been very often entered into by both sides of the House. To my mind it was a very imperfect understanding. When I first rose this evening, I felt it to be my duty not to hesitate in the course I should take, because I would rather err on the side of scrupulosity on this matter. There certainly was not that clear understanding from which no misconception could arise, which is necessary to facilitate public business by mutual understandings. The understanding was that the Attorney General should produce a clause that would express the feeling of the Committee, not so much in the capacity of a Minister bringing forward a policy, but as a public officer who, under all the circumstances, would have the best opportunity, from his learning and acquirements, and be best qualified to offer a clause that would express the feeling of the Committee. I do not think that Gentlemen on this side of the House are bound to a complete and absolute adhesion to the policy of the clause. I very much regret there should be any misconception upon a subject of this kind; for it is of great importance that any understanding which might be arrived at should be kept. At the same time, it would be a very great evil if, from a misconception or misunderstanding, right hon. or hon. Gentlemen should be supposed to be bound to support a principle or policy which they do not really approve. I am sure no one will desire it; and it is not for a moment to be encouraged that because some arrangement was made four months ago that the party on this side of the House is bound to support the consequences of such an arrangement, which many of them could not have foreseen, and of which many did not clearly understand. I consider that I have personally fulfilled the engagement into which I entered; and with regard to what I will not call the insinuation of the right hon. Gentleman the Member for South Lancashire, but the delicate inquiry which he has made, I can most sincerely and truly answer that such influence as I could exercise in the hurried moments of an impending division I exercised in favour of the Motion.

MR. BRIGHT: I wish simply to say that I think great inconvenience will arise to the Committee from the unfortunate incident which has just taken place, and especially after the kind of explanation which we have had from three Members on the Treasury Bench. Now, the right hon. Gentleman the Member for the City of Oxford read a paragraph from a report of what I presume was said on the night in question. I have here what appeared in the paper, the reports of which, I believe, are generally considered to be most reliable — *The Times* newspaper, which gives what was heard and understood by a Gentleman who had a very favourable opportunity of hearing everything which went on. ["Order!"]

THE CHAIRMAN: I must remind the hon. Gentleman that it is contrary to the rules of the House to read the reports of debates from the newspapers.

MR. BRIGHT: I shall state to the Committee what I understood was said, and what I believe the House understood was said, on that occasion. The right hon. Gentleman the Secretary for the Home Department did not vote in the division. He stated that if the hon. and learned Member for Tiverton would frame a clause applicable both to the old and new constituencies, the Government might be able to assent to it without difficulty; but that if he insisted on pressing the Amendment then before the Committee, he should feel it his duty to oppose it. There is nothing, I submit, that anybody can find fault with in that. Then the hon. and learned Member for Tiverton, after that, expressed his willingness in accordance with the suggestion of the right hon. Gentleman, to bring up a clause applicable both to the old and the new constituencies—that is, those above £10 and those below £10—but he said it would be necessary to add to the clause under discussion the words "in manner hereinafter mentioned," and the manner in which the object was to be attained might be inserted in the next clause. Well, what did the Attorney General say then? It will be in the recollection of the Committee that he actually suggested the addition to the clause of the words "and which have been demanded of him in manner hereinafter mentioned"—and he recommended that other words should be omitted—namely, the words, "by the overseer, collector, or other officer." Now, in reply to the hon. and learned Member for Tiverton, the Attorney General stated that the Government would undertake to bring up the necessary clause. To this arrangement the hon. and learned Member for Tiverton assented, and withdrew his Amendment. I do not know much about the importance of this question; but I do hold it to be very important — and hon. Gentlemen opposite may not always be on that side of the House—that when a distinct arrangement of this kind is made—and one more distinct I think I have never heard made in this House—it should at least be fairly and honourably adhered to by the Government, because the Government has always, as we know, great influence in the House; many Members are anxious to support it; and somehow or other they seem to find out what is the view of the leading Members of the Government; and though nothing is said, men often find themselves in the lobby which is agreeable to the Members of the Government. Now, on this occasion, I understand that two Members of the Government and of the Cabinet absented themselves on the division, and if they had voted, probably the decision of the Committee would have been different. I do not know what is to be done in the matter now; I have merely risen for the purpose of saying that there is a question even more important than that of this particular clause, and that is, that there should not be that scrupulousness in words which the right hon. Gentleman has dwelt on so long in his recent observations, but that there should be a fair and frank adherence to every agreement that is made of this kind. The right hon. Gentleman has said that he spoke to four or five Members near him. Well, if he had spoken to two of those nearest him, and with whom certainly his influence could not have been less than with those to whom he did address himself, perhaps the result of the division might have been different, and a very unpleasant altercation or contention might have been avoided. A short while ago there was an unpleasantness on the Treasury Bench between the Judge Advocate General and the right hon. Gentleman. I should be very sorry if, during the progress of this Bill, there should be any dislocation and enfeebling of the Government which might in any degree endanger the passing of so great a measure as that which is now before the House.

Mr. DENMAN said, the course which the discussion had taken had brought back to his mind the exact words which he used, and which produced that answer of the Attorney General to which reference had been made. The Attorney General, he was sure, would recollect that he (Mr. Denman) asked him whether he intended to throw upon him the onus of proposing a clause, or whether he would himself bring up a clause, and the Attorney General gave that answer which had just now been read by his hon. Friend the Member for Birmingham. He (Mr. Denman) put it to the Committee whether, under the circumstances, he could have had any other notion than that the Government intended to propose a clause in the sense agreed upon, and to try to carry it? It was, indeed, only by accident that he (Mr. Denman) had come to the House that afternoon, as he had fancied the matter was so thoroughly agreed upon that there could be no question about it, and that the clause, being in the sense he had understood, would be supported by the Government, and agreed to without a division.

Mr. HIBBERT asked the Chancellor of the Exchequer whether, as the clause of the Attorney General had been lost, it was possible for the Government to bring up a new clause to carry out the understanding into which the Government had entered? He thought it must be the desire on both sides that the understanding should, as far as possible, be carried out.

The CHANCELLOR of the EXCHEQUER said, that he should be very willing, and, indeed, it would be his duty, after what had occurred that day, to consider the suggestion of the hon. Member; but in his present position he must make it a first object to see whether, in bringing forward a new proposition on the subject, he had any chance of success. From what had reached his ears since he last addressed the Committee, he feared the opposition to the proposal was so decided on the other side of the House as, with the assistance of Gentlemen on the Ministerial side, to afford little hope of bringing forward anything of the kind with success. The right hon. Member for South Lancashire was wrong in supposing that the clause was solely defeated by the action of Members on the Ministerial side, for there were many Members on the right hon. Gentleman's own side of the House who sympathized with them. At the first blush this must seem manifest; for if the majority of the House sitting on the other side had resolved to support the policy of the hon. and learned Member for Tiverton, the late division could not have resulted in the manner it actually had. If the hon. Member for Oldham appealed to his own friends, the result in future would probably be different.

MR. W. E. FORSTER thought the fate of this Bill, and the earnest desire manifested on both sides of the House that it should become law, were of far greater importance than how the Government should carry out an understanding. But he was sorry that the right hon. Gentleman the Secretary of State for the Home Department, considering how important this clause was, had not sufficiently inquired into it before it came on for discussion to find out that his opinion was against it. But what was of more importance was that the House should not on account of the recent decision endanger the progress of the Bill. It certainly was the understanding on both sides of the House—at least, so he felt, that the borough franchise was settled on these two conditions — the payment of rates, and that payment should be demanded. He was by no means anxious that the special mode expressed in the clause should be carried out, but he hoped the Government would not be misled by the fact that the hon. and learned Member for Southwark did not think it of importance that demand should be made a condition of payment. It would be a great mistake to suppose that the condition of demand was not felt very strongly by many Members on that side of the House, and he believed by the country. No one was more anxious than he was—very few so anxious—that this Bill should pass, particularly as regarded the borough franchise; but undoubtedly the settlement was accepted on the condition that the vast numbers of poor ratepayers should not have, as the sole condition of their franchise, the payment of rates without means to insure that demand was made by the officer to whom that was intrusted. In the interest of the Bill, and in their own interest as the Government that would have the credit of passing this great measure, he hoped the Chancellor of the Exchequer and his Colleagues would take the opportunity of seeing whether they could not carry out the suggestion of his hon. Friend the Member for Oldham.

MR. LOCKE was really not aware that his hon. Friend the Member for Bradford (Mr. W. E. Forster) did feel such very great anxiety for the passing of this Bill. He did not say that demand was of no importance; what he did say was, that it would be impossible to agree upon this clause. Amendment after Amendment was moved in the sense of the hon. Member's for Oldham — namely, that the overseer should be compelled to make a demand, and that he should be liable to a penalty of £1 for neglecting to make it. He thought that was harsh. So did his right hon. Friend the Member for South Lancashire. The right hon. Gentleman thought it was wrong, for he went into the same lobby with him and voted against it. There was great difficulty in coming to a conclusion upon this clause, because it left the overseers to do precisely what they chose with the electors, putting some on the register and leaving others off. The clause seemed to give no satisfaction to either side of the House, and therefore he had suggested that it should be negatived. He thought if a clause could be prepared that would be satisfactory to the House and workable, it would be a great advantage.

MR. W. E. FORSTER understood the hon. and learned Gentleman to say that it would be better that the new voters should be put in the same position as the present £10 householders. Now, in looking at the Reform Bill, he found that no demand in that case was required; therefore he naturally concluded that his object was to take out of the Bill the necessity of a demand being made.

MR. LOCKE begged to state that what he did say was, that rather than pass this clause the old plan should be adopted.

MR. HENRY BAILLIE recommended the hon. and learned Member for Tiverton to bring up a clause of his own on the Report. He would then be supported by those who entertained the same opinions, and not run the risk of having a clause introduced by those who were not favourable to his views. The clause was thrown out because it was absolutely impracticable and unworkable; and because they would not place so much power in the hands of the overseer as would leave him complete master of the situation in all the boroughs of the kingdom.

Mr. DENMAN was very much obliged for the advice which had been given him. He would look into the matter and try to draw a better clause than that of the Attorney General, although he thought that a very honest and well-framed clause, and doubted whether it could be improved. He did not know that he should be able to do better. He would rather, however, that his hon. and learned Friend the Member for Southwark should undertake the duty, to show that he was really in earnest in this matter, for he was quite sure that his hon. and learned Friend would find that great mischief would result in the direction of wholesale disfranchisement if some similar provision were not inserted. He suggested that his hon. and learned Friend should prepare a clause, which he would be happy to consider; and that the clause should be settled with the Attorney General so as to carry out the original undertaking of the Government.

Mr. LOCKE quite confessed that his hon. and learned Friend the Member for Tiverton had caused a great many discussions on this Bill, and he did not mean to say that he had not done great good service to the Bill, but he was at a loss to know exactly what that good was. At the same time, he should be most happy to ask his assistance or to tender his own with a view to draw such a clause as might give satisfaction to everybody.

Mr. GLADSTONE wished to apologize to his hon. and learned Friend the Member for Southwark, because he was very glad to find that he was favourable to demand on the voter. That demand on the voter he thought most important; and, as far as he could judge, it appeared very intimately associated with the practicability of the system of personal rating. As to the taunts of the right hon. Gentleman the Chancellor of the Exchequer with regard to the votes on that side of the House, they were delivered in great good humour, and they were received entirely in the same spirit. They might be perfectly justifiable under the circumstances; but quite independent of that, he begged the right hon. Gentleman and the hon. and gallant Member for Bedfordshire (Colonel Gilpin) to observe that he never said a word as to the votes of independent Members. All he did was to impugn and challenge the conduct of the Government unless they had used such influence as they could—and he was quite sure that the right hon. Gentleman had done so—to obtain for the clause the votes of his own supporters, and in regard to that he spoke of no personal honour as involved in the engagement of the Government not being fulfilled when he said he understood that a Member of the Government had voted in the majority.

Colonel GILPIN said, he received a "whip" to be present and support the Government to-day, and he had reason to know that hon. Gentlemen opposite had received a "whip" to oppose the Government. ["No!" *from the Opposition.*] He had seen it. He should have supported the Government if he had thought them right; but, as he did not think them right, he had voted against them.

Mr. HENLEY hoped that whoever drew up the clause would meet the difficulty which had come strongly upon them in the course of that debate—how they were to take the power of enfranchising and disfranchising out of the hands of the overseers. He could fairly say that this was what turned his vote. Hearing no answer to this question he had thought it better to vote against the clause and leave the whole thing open rather than leave enfranchisement or disfranchisement to the caprice of the overseer or to accident. He thought it well worthy of consideration, whether the framers of the Bill of 1832 had not foreseen the difficulty, and therefore left the question of demand out of sight altogether. If you had a demand, you left it absolutely in the hands of the overseer to enfranchise A and disfranchise B at his pleasure.

Motion *negatived.*

Colonel DYOTT then moved to insert, after Clause 3, a clause giving to freeholders, copyholders, and leaseholders within Parliamentary boundaries of boroughs, or residing within seven miles thereof, a vote for such boroughs. The clause was similar to, if not identical with, a clause in the Reform Bill of the Chancellor of the Exchequer, introduced in 1859, and which led to the break up of the Government at that period. Household suffrage under the present Bill would confer the franchise on a vast number of the lowest class of occupiers; in the opinion of the right hon. Member for South Lancashire it would be double the present number of borough voters. The hon. Member for Stockport, by way of limiting the franchise, proposed that the occupation should be at least an occupation of two rooms, and another hon. Member proposed that these rooms should be of a certain size; but these remedies did not meet the approval of the Committee, he therefore proposed to introduce upon the register the freeholders, copyholders, and leaseholders, as the case might be, residing in boroughs as an independent class of electors, to balance the more dependent class that this Bill proposed to introduce; for there would be no more independent class of voters than the men who voted in respect of their own property. It was said that this would be a measure of disfranchisement, but it was really nothing of the kind; it was only a transfer of their names from one borough to the other. Then it was said that it would deprive the borough freeholder of his ancient rights. Now, there was no man who had a greater respect for ancient rights, or would bow with more reverence for prescriptive authority than himself; but if the argument were to be carried to its farthest extent it would be impossible to pass any Reform Bill. They proposed partially to disfranchise several of the small boroughs, whose rights were as ancient as those of the freeholders. His object was to put every class of voters upon an equality. They heard much of the evils of class legislation, but surely this plan of giving a vote for freehold property, both for the town and the country, was to make the owners a privileged class. It was not exactly giving them a dual vote, though it was something analogous; it was exactly the same as the proposition to give undergraduate votes for the University towns, which the whole Liberal party had opposed. Then it was said that these votes ought not to be taken from the counties, because the counties represented property. That was so at one period, no doubt, but it had long ceased to be the case; and now that the occupation franchise had been reduced so low as £12 it had become less so than ever. He begged further to remind the House that the total number of county electors qualified by property within the borough boundaries was 91,000, while the total number of county electors was 540,000; so that the county voters within boroughs amounted to one-sixth of the whole. He did not bring this question forward from any personal motive, because he represented a borough where the freeholders already voted in the borough, so that the change would not affect him; but he believed that the change would improve the borough register, would do no harm to the county register, and would carry out the object which every man professed to have at heart—to improve and amend the representation of the people. The hon. and gallant Gentleman concluded by moving the following clause:—

> "That any person, possessing a freehold, copyhold, or leasehold qualification within the Parliamentary boundary of any borough, and residing within seven miles thereof, shall be entitled to be registered as a voter for such borough, and to vote at the election of a Member or Members to serve in Parliament for such borough in respect of such qualification, and not for the county in which such borough is situate."

MR. VANCE said that the proposition was a very reasonable one. He had represented for thirteen years a constituency in which such a franchise existed. Anyone could have a freehold or leasehold qualification and vote for the city of Dublin, without the necessity even of residence; and he could assure the Committee that that constituency was very much improved, not only in intelligence, but in rank and station, by the existence of such a franchise. In Dublin the franchise was limited to freeholders who possessed a freehold of £10—there being no freehold of less value in that city. He was satisfied that the proposed clause would be an improvement and therefore he gave it his hearty support.

MR. LOWTHER moved that the Chairman report Progress. The question involved by the clause was one of considerable importance, and should be fairly discussed.

MR. BRIGHT: Perhaps the Committee might dispose of the clause now. It would facilitate our progress when we meet again to discuss this Bill, and it would be the wisest course to take.

MR. BERESFORD HOPE said, it was a broad and important question, and was recommended to them by the consideration that it formed part of the right hon. Gentleman's Bill in 1859. It ought therefore to be fairly discussed and argued which it could not be at that hour.

THE CHANCELLOR OF THE EXCHEQUER: I am perfectly convinced that it will be utterly impossible for the Committee to dispose of this clause in three minutes; if any hon. Member is desirous of moving that Progress be reported, I shall not therefore resist the Motion. I wish to correct the misstatement that there is a principle involved in the clause which was fatal to the Conservative Government of 1859.

Mr. GLADSTONE did not know whether it was an overstatement on the part of the right hon. Gentleman the Chancel- of the Exchequer that the principle of the clause had been fatal to the Government of 1859. All he could say was that the proposition fatal to them was made on the part of the Government of 1859, and was received with uniform hostility by their political opponents and by very widely spread opposition on the part of their friends.

The CHANCELLOR of the EXCHEQUER: Indeed! I was not aware of it.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF IRELAND.

RESOLUTION.

Mr. CHICHESTER FORTESCUE rose to move a Resolution, of which he said notice had been given, owing to the surprising announcement made by the Chancellor of the Exchequer shortly after the Whitsuntide recess, notwithstanding a promise to the contrary, that it was not intended to introduce a Reform Bill for Ireland this Session. The subject had excited much interest among Irish Reformers both in and out of the House. Hon. Members who took special interest in the question of Reform in Ireland were filled with astonishment and indignation when, after assurance had been given that Ireland would not be excluded from the general plan of Reform for the United Kingdom, the right hon. Gentleman informed the House that the Government had changed their minds, and that their promises were to come to nothing.

Notice taken that forty Members were not present; House counted, and forty Members being found present—

Mr. CHICHESTER FORTESCUE proceeded to state that, under the circumstances he had narrated, the Irish Members took counsel, formally and informally, and, after a time, they held a meeting of those who expected and desired a Reform Bill for Ireland; and it was that meeting which called upon him to take charge of the Resolution. There was no desire to seek an opportunity for making a party attack on the Government. Irish Members only sought to fulfil a bounden duty, which they could not neglect without disgrace, without loss of self respect, and without betrayal of trust. He would briefly detail the occurrences of the present Session with regard to the question of Irish Parliamentary Reform. At the commencement of the Session everybody naturally took it for granted, both from the nature of the subject and from invariable precedent, that the Government would deal simultaneously with the three kingdoms in the matter of Reform. It had invariably happened that before an English Bill had made progress the Bills for Scotland and Ireland had been laid on the table and discussed. Last year the then Government professed at first to deal only with the English franchise; but when, in compliance with the wish of the House, they had undertaken to deal with the whole question, they framed and laid on the table on the same night the Bills for Scotland and Ireland, and that was before the House had gone into Committee on the English Bill. A Scotch Baronet, the Member for Ayrshire (Sir James Fergusson), had specially called upon the Government to take care that a Bill for Scotland should be introduced, because it would be impossible that justice could be done unless the Bills for England, Scotland, and Ireland proceeded *pari passû.* Everybody expected that that view would be acted upon this Session. On the 21st of March in the present Session, following the hon. Member for Edinburgh, he (Mr. C. Fortescue) asked the Chancellor of the Exchequer whether he intended to introduce a Reform Bill for Ireland; and the reply was in the affirmative. A few days afterwards the hon. Member for the county of Waterford (Mr. Esmonde) asked another question upon the subject, and the answer was that the Government intended to introduce the Irish Bill immediately after the Easter recess. The Easter holydays passed, however, and the Scotch Bill was introduced, but not the Irish one. He therefore thought it his duty when the Whitsuntide recess was approaching to make a statement to the House respecting the delay, and to ask what were the intentions of the Government. That was on the 24th of May, more than two months after the first promise of the Chancellor of the Exchequer. The right hon. Gentleman, in reply, said that the Government had given every attention to the subject, but that the pressure of the English Bill had made it impossible for them to introduce the Irish Bill sooner, and the right hon, Gentleman added—

> "Though there will be some further delay, it will not be a very great delay. Hon. Gentlemen may rely on it that I shall not hurry them to a decision on the second reading. They shall have ample time to consider the Bill, and I think they will have no cause to complain that they have been badly treated. I hope the provisions of the Bill will be such as to be satisfactory to the Irish Members; but I must confess that the criticisms which we have just heard are not encouraging. One hon. Gentleman expresses a hope that the three Reform Bills will be all alike; another, referring to a particular provision in the English Bill, says that should it be contained in the Irish Bill he should prefer to have no Bill at all. I do not want the House to come to any decision now as to the merits of voting papers; but, as papers have been proposed for England and Scotland, I am afraid that if they were not in the Irish Bill some hon. Gentleman might rise and state that we were not disposed to treat Ireland with a fairness equal to that shown to England and Scotland, though I can assure them that we are anxious to do so. I throw myself on the indulgence of hon Gentlemen, and promise them that the Irish Bill will be brought in immediately after Whitsuntide. Before any hon. Gentleman from Ireland decides that this is a case of hardship, I would observe that I do not think anyone would like to spend the short vacation we are to have at Whitsuntide in the consideration of the suffrage. Irish Members may rely upon it that I shall endeavour to make up for the delay. I alone am responsible for it, and I hope they will extend their indulgence to me till immediately after Whitsuntide." —[3 *Hansard*, clxxxvii. 1091.]

Before the Whitsuntide recess arrived the question was again asked by the hon. Member for Cashel (Mr. O'Beirne), and the Chancellor of the Exchequer then replied—

> "Ardently as I long for the day when the English Bill shall be read a third time, I shall gladly defer it in order to introduce the Irish Bill."

Soon after the re-assembling of the House the hon. Member for Ennis (Captain Stacpoole) asked the Government when the Bill was to be introduced, and the reply to that question had given rise to the present Motion. The Chancellor of the Exchequer said—

> "There is no subject which has caused the Government more anxiety than the Reform Bill for Ireland. I can say this for the Government collectively, and I can say it for myself and my noble Friend the Chief Secretary for Ireland, that we have at all times been anxious to deal with that question in a spirit of the utmost confidence, and we have prepared the details of the measure entirely in that spirit. But it is impossible to conceal from ourselves that the circumstances of the time are exceedingly unpropitious. There is no doubt that, owing to a foreign and external agency acting upon sentiments of a morbid character in a portion of the population, there is in Ireland at the present moment a very general feeling of distrust, and—I cannot conceal it from myself—a considerable sense of danger. It is very difficult to deal with questions involving the re-distribution of electoral rights among a people under circumstances of that description, although I am glad to think that whatever discontent or distrust may exist in Ireland does not arise from the present state of their electoral privileges. Under these circumstances we feel that it is not possible for us to deal with the question of Parliamentary Reform in Ireland in the spirit in which we could have wished to deal with it, and, therefore, it is the determination of Her Majesty's Government to postpone until a more favourable opportunity any legislation on this question."—[3 *Hansard*, clxxxvii. 1936.]

In the whole of that answer there was but one topic of consolation, and that was that the details had been discussed, and that the measure, if not in a perfect form, was in a very advanced state of preparation. In every other respect the answer was most unsatisfactory and most unfortunate. The reasons assigned did not in themselves, without further explanation, furnish any ground for the sudden abandonment of the expectations and the pledges held out to the Irish Members and the Irish people. The alleged reason for postponement was that there was danger, in the present condition of Ireland, in mooting the question of Irish Parliamentary Reform. But what new circumstances had arisen? The promise of the Chancellor of the Exchequer was first given in March, immediately after the important Fenian rising in the South of Ireland. What circumstance had arisen during the Whitsuntide recess to make it the duty of the Government to refuse to Ireland that which they themselves had previously pronounced necessary? As at present informed, his belief was that no such circumstances had occurred. There was, indeed, one occurrence which he could not overlook. During the recess the Government had been waited upon by a deputation of influential Irish supporters of the Government, who made certain representations on the subject of Reform in Ireland, and, unless he was totally wrong in his conjecture, such statements were made with regard to the condition of the country as to change completely the view of the Cabinet, and induce them to refuse that which they had shortly before informed the House that it was their intention to do. His opinion was that they were totally misinformed; and he should like to know what proof there was that the Irish constituencies were disposed either to reject with scorn, or to make a bad use of the privileges which Parliament might confer upon them? Take the most recent elections which had occurred in Ireland; in the course of the autumn, elections occurred in the two important constituencies of Tipperary and Waterford, and, no doubt, those elections were marked by a certain amount of excitement on the one side, occasioned by the excessive and unreasonable exercise of landlord power. On the other side, they were characterized by popular excitement, which he regretted to say, occasionally degenerated into violence. But no hon. Gentleman could say that the results of those elections were not in accordance with the genuine feelings of the constituencies. For his own part, he felt convinced that the two Gentlemen who were returned, one of them a Protestant and the other a Catholic, were the real choice of the electors, and that they were both well worthy to occupy seats in that House. To him these events were matters of great consolation and satisfaction; because they proved that in those large constituencies, deeply imbued with the most intense Irish feelings, it was possible for the great mass of the humble electors to exert themselves for the purpose of returning popular representatives to Parliament, rather than exhibit an indifference to Imperial legislation—rather than turn their thoughts in another direction. The House might depend upon it that the people who were capable of acting in that way had not wholly given themselves up to lawless and Utopian schemes. It was the duty of the House to take care the feelings and hopes of such a people were not disappointed by Parliament. As to their being danger from extending the franchise in Ireland, or even discussing the subject, he totally denied that any danger could arise in that direction. On the contrary, his opinion was that the danger was all the other way. By not discussing a measure of Reform for Ireland they ran the risk of lessening the confidence the Irish people had in the favourable disposition of Parliament, and in its inclination to treat their country in a spirit of fairness and equality. Perhaps he might be told that the Fenians did not care about Parliamentary Reform. He never heard in that House, nor read in the papers —as one did too often—statements of that kind, without feeling how dangerous it was to govern Ireland under such a feeling. Those who were acquainted with Ireland knew that the Fenians did not care about a Reform Bill, or about the Church and the land questions; but it should be remembered that for one Fenian in Ireland there were ten discontented and suspicious spirits not Fenians. It was no answer to them to say that the Fenians did not care for Reform; but it was dangerous that a sensitive, and, at present, suspicious people should be led to believe that Parliament treated them with something like a slight, and not with that confidence and equality which would conciliate them and make them good and loyal subjects. His Motion consisted of two parts. The first was—

> "That this House considers it essential to the satisfactory settlement of the Question of Parliamentary Reform that there should be an amendment of the Law relating to the Representation of the People in Ireland as well as in the other portions of the United Kingdom."

At first sight it would not seem necessary to ask the House to affirm that; but, considering the tone taken by the Chancellor of the Exchequer, his reference to "the most favourable opportunity"—which was the right hon. Gentleman's only definition of the time at which the Irish Members might hope for a Reform Bill—and his reply to the hon. Member for Devizes, who had thought it necessary to try and extract something more from him, he had thought it necessary to put that Notice on the Paper. He was bound at present to take it for granted that the Government had adjourned the question of Parliamentary Reform for Ireland *sine die.* He hoped, however, that a further explanation might show him that he was wrong. At all events, he trusted that the House would not sanction such a determination on the part of the Government. The conclusion of his Motion stated that the House

> "Considers it desirable that, in accordance with the promise of the Chancellor of the Exchequer, Government should introduce their Bill upon that subject during the present Session."

What he asked appeared to him to be most reasonable. He did not prejudge the question whether it would be practicable to carry out Reform legislation for Ireland during the present Session. He asked the Government merely to say what their intentions as regarded the matter were by placing their Bill on the table. The hon.

Member for Ayrshire last Session required that the Scotch Bill should proceed *pari passû* with the English Bill. The Irish Members were more moderate their demands. They only asked that the Irish Bill should proceed *pari passû* with the Scotch Bill. As no Reformers in that House had been more faithful to the Reform cause than the Irish Reformers had been, he now asked the Reformers of the other parts of the United Kingdom—and he made the same appeal to hon. Members on both sides of the House—to join in protesting against Ireland being treated with neglect and with what he could not help callingsome thing like indignity.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House considers it essential to the satisfactory settlement of the Question of Parliamentary Reform that there should be an amendment of the Law relating to the Representation of the People in Ireland as well as in the other portions of the United Kingdom; and considers it desirable that, in accordance with the promise of the Chancellor of the Exchequer, the Government should introduce their Bill upon that subject during the present Session,"—(*Mr. Chichester Fortescue,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel FRENCH seconded the Motion. He complimented his right hon. Friend the Member for Louth on the temperate and judicious manner in which he had introduced his Motion, He was very glad his right hon. Friend had abandoned a part of the Motion as it was originally framed; because, under no circumstances could he have considered himself justified in opposing the third reading of the English Reform Bill on the ground that Ireland had not been fairly treated. He felt it difficult to add anything to the arguments of his right hon. Friend; but he must remind the House that, from time to time, he had postponed proceeding with his own scheme of Reform out of deference to the Chancellor of the Exchequer, who had promised a Government Reform Bill for Ireland. Knowing that both the Chancellor of the Exchequer and his noble Friend the Secretary for Ireland had devoted a great deal of attention to the subject, he heard without any suspicion of the frequent postponements of the Irish Reform Bill; and he was sure that no single Member, and no individual in Ireland who had followed the proceedings in Parliament, hesitated to believe that immediately after the expiration of the Whitsuntide recess the Bill would be laid on the table. They had been disappointed in this expectation, and in a manner which gave them ground of complaint. Every promise made to Scotland had been fulfilled, and there was no reason to suppose that a different course would be pursued towards the two countries. As far as actual legislation was concerned, there was no more chance of the Irish Reform Bill becoming law this Session than there was of the Scotch Bill being adopted. But Irish Members had a right to know the Ministerial intentions towards them, so that they might consult their fellow-countrymen during the recess. No cause ought to be given to any portion of the Irish people to suppose that they were slighted or lightly esteemed, or that they were treated differently from people in other parts of the United Kingdom. He trusted the Ministry would re-consider their decision.

Mr. CONOLLY said, that he and those who felt with him, had reason to express their complete satisfaction with the announcement made by the Chancellor of the Exchequer on the occasion when he last addressed himself to the question of the Irish Reform Bill. That decision afforded the greatest gratification to all right thinking men in Ireland, and to a large portion of those in Great Britain as well, for it was in accordance with the principles of prudence and common sense. The right hon. Gentleman the Member for Louth (Mr. C. Fortescue) declared that there was an acknowledged want of Reform in Ireland, the non-recognition of which by the Government was most displeasing to the Irish Members—meaning, he presumed, those sitting near the right hon. Gentleman, who always arrogated to themselves the title of "Irish Members." [Mr. Chichester Fortescue: Irish Reformers.] The right hon. Gentleman represented those gentlemen as highly indignant, and he spoke with authority and influence on that and most other subjects. But when, last year, he was called upon officially to deal with the subject himself, he brought forward a measure which was utterly insignificant as regards the changes which it would have accomplished. The condition of the counties, the right hon. Gentleman stated, was perfectly satisfactory, and he did not propose to alter those; in the boroughs the principal alterations proposed was the introduction of an extraordinary conjunction called "grouping," which was received with little favour on either side of the House. The right hon. Gentleman, therefore, had no right to arrogate to himself the character of the only benefactor of Ireland in the House. Certainly the conduct of the Chancellor of the Exchequer with regard to England had given the right hon. Gentleman no right to suppose that in dealing with Ireland he would act in any niggard spirit. On the contrary the probabilities were that when he did come forward with the measure it would be much ampler, and applicable in ten thousand times a greater degree to the condition of Ireland than the measure of the right hon. Gentleman; a more contemptible measure than was offered last year it would be difficult to conceive. The new grown zeal of the right hon. Gentleman for Reform was very marked now, but his own Bill last year was conceived in the narrowest and most prejudiced spirit of the old Tories. It was not because he objected to Reform that he opposed the right hon. Gentleman's Motion. Indeed, he had given his cordial support to the Chancellor of the Exchequer's magnificent measure for England. He was quite willing to give the Irish people any extension of the suffrage that might be deemed wise and necessary. The very instance of Tipperary which the right hon. Gentleman had advanced told against him. The late contest at Tipperary was of a very peculiar nature; it was between a Roman Catholic gentleman, a resident in the county—["No, no!"]—who had before gained a majority for the county on the one side, and on the other a gentleman of very considerable abilities, but a total stranger to the constituency, who would certainly not have been elected had it not been for the very exceptional circumstances prevailing at the time. Tipperary was on that occasion violently and even dangerously excited by the Fenians; and had it not been so the hon. and gallant Member would have had no more chance of being returned for the county than an Alderman of the City of London. If Tipperary should be divided into two ridings, he believed that the much derided landlord influence would in one at laast prevail. But this gentleman who was boasted of as the choice of the people, was threatened with a contest under the Reform Act. Mr. Butt, the distinguished Fenian advocate, had been invited to turn him out, and the published grounds for offering Tipperary to Mr. Butt were that he had defended the Fenians so admirably. Yet, notwithstanding this, the right hon. Gentleman had protested that the Government was not justified in postponing the Irish Reform Bill in consequence of the state of the country. Had Fenianism subsided in the South of Ireland? What had happened in Waterford but the other day, when life and property was in imminent peril for the best part of a day? It was easy for the right hon. Gentleman, in an exuberant feeling of irresponsibility, to lay down precepts for the guidance of the Government; but he contended that it was not only the duty of Ministers to abstain from giving Reform to Ireland, but that for them to do so would be positively unjustifiable. Consider the anomalous position the right hon. Gentleman would place the House in. Throughout the Session Parliament had from stern necessity been almost unanimous in curtailing the liberties of the people of Ireland, for the sake of their own peace and security, by suspending the Habeas Corpus Act; and now the right hon. Gentleman proposed, with all the solemnity imaginable, to offer those identical people fresh privileges and a more extensive influence over the Government of the country. He begged the House to be consistent and support the Government in its wise resolve by rejecting the Motion of the right hon. Member for Louth.

THE O'DONOGHUE rejoiced very much that this question had been raised that evening, and more especially that it had been raised by the right hon. Gentleman the Member for Louth, whose speech had created more hopeful anticipations of the future Parliamentary representation of Ireland than any speech that had been delivered during a long period. From some personal knowledge of the county of Tipperary, he could assure the hon. Member who had just sat down that he was greatly mistaken in supposing that there was the slightest danger of the hon. Member who sat for that county losing his seat at the next election. Not the slightest reason could be urged in justification of no progress being made this Session with the Irish Reform Bill. It might be that, owing to causes with the nature of which they were all well acquainted, Her Majesty's Government were unable to adhere to their original determination to introduce an Irish Reform Bill this Session; but the majority of the House were in favour of some progress being made at once with the Irish Reform Bill. Personally, he had no apprehension whatever as to the future of Irish Reform, because he knew that Her Majesty's Government had not the power, whatever their inclination might be, to withhold an Irish Reform Bill, or even to postpone its introduction for any length of time; and because he felt confident that the Liberal party, which constituted a majority in the House, and an overwhelming majority in the country, would unite with those who really represented the Irish people in securing for Ireland before the dissolution of the present Parliament a measure of Reform, the same in principle, and in every respect as comprehensive as the measures adopted in the case of England and Scotland. But although the conduct of Her Majesty's Government furnished no just ground for any apprehension as to the future of Irish Reform, still it did very plainly indicate what the Government would do if it were able—as all other Governments hitherto had been able—to give effect to its wishes, and carry out the principles which were in accordance with its political convictions. The Chancellor of the Exchequer knew as well as he did that he could not hope to withhold from the people of Ireland the electoral rights and privileges which had been accorded to the people of England and Scotland. But the position of the right hon. Gentleman was one of extraordinary difficulty, and he was obliged to have recourse to every kind of expedient in order to preserve even the semblance of unanimity among his party. Among the supporters of the right hon. Gentleman were, he regretted to say, a number of Irish Members who were the bitterest enemies of Reform. As long as the English and Scotch Bills were before the House these Gentlemen followed silently and obsequiously at the heels of the Chancellor of the Exchequer; but when they felt that their own time was approaching—and come it undoubtedly very soon would—they could no longer be kept within bounds. These Gentlemen gathered round the Chancellor of the Exchequer, and after reminding him of what they had done and suffered, in order to keep him in his place, succeeded in extorting from him a promise that he would postpone the Irish Reform Bill. Although he was certain that the progress of Irish Reform would not be practically retarded by the concession which the Government had made to the Irish Tory Members, that concession enabled the Chancellor of the Exchequer to show his Irish friends what his feelings really were, and to prove his gratitude to them for a sacrifice of opinion and principle without parallel in Parliamentary history. It would enable the Chancellor of the Exchequer, at no very distant day, to say to the Irish Tory Members—

> "If I could, I would have permitted you to govern Ireland as in times past, and have upheld your monopoly of power and patronage by the assistance of the armies of Great Britain, but times have altogether changed. Your opinions and principles are as odious to the people of England and Scotland as they long have been to the Irish people; and, disagreeable as it may be, you must make up your minds not only to forego every kind of ascendancy, but to depend on the future for your influence and power upon the proofs which you give of your devotion to the interests of your countrymen."

The anomalies in the Irish representative system were so outrageously glaring that it was almost an insult to the understanding of the House to descant upon them at all; and it was almost impossible to do so at that moment, without exposing oneself to the charge of having borrowed from an admirable letter which appeared in the *Morning Star* of yesterday. It was a system by which apparently the popular sanction was obtained to a most exclusive form of class Government. In the counties the electors were almost exclusively at the disposal of one class of landlords or another; while the borough constituencies were, for the most part, so small that the only thing that could be said in their favour was that they had been smaller previous to the Reform Bill of 1832. The present political state of Ireland he attributed greatly to the fact that the Irish people thought that it was useless to expect justice from the Imperial parliament. It rarely happened in a borough or a county that the candidate returned could be said to represent the free choice of the electors. The popular notion of the functions of a Member of Parliament was that he was selected for the purpose of providing appointments for the sons, relatives, and friends of those who returned him, and that his next object was to procure an appointment for himself. If there had been no past history at all to appeal to, the present state of the Irish constituencies would be a perfect justification for the want of faith in the Imperial Parliament which undoubtedly did exist in Ireland. There were about 170,000 country electors, almost every one of whom was obliged to do exactly as his landlord told him; and there were 30,000 electors, 8,000 of whom returned twenty-seven Members to that

House, while the remaining 22,000 returned only twelve Members. Notwithstanding this anomaly, however, the borough electors of Ireland returned a majority of Members in favour of Reform, and, in refusing to lay upon the table the Irish Reform Bill, the Chancellor of the Exchequer was acting in opposition to the wishes of the majority of the Irish Members. He would only add that he had no apprehension whatever for the future of Irish Reform. The Irish Liberal Members had unflinchingly and invariably supported the measure of Parliamentary reform for England; and he was perfectly certain that under no circumstances would they be abandoned by the party of Reform who constituted a majority in that House and the country.

MR. PEEL DAWSON concurred with the hon. Member for Donegal (Mr. Conolly) in thinking that the manner of the right hon. Member for Louth, in dealing with Irish Reform, was not so successful as to entitle him to find fault with the Government scheme, or to dictate to Her Majesty's Govermment the precise terms or the exact mode in which they should discharge their duty of legislating upon this important question. In his opinion Her Majesty's Ministers had judged very wisely in postponing for the present the introduction of a measure of Reform for Ireland. It would be better to allow the political atmosphere of that country to become calm before introducing a measure which would be certain to cause considerable excitement and turmoil, but which it would be impossible to pass during the short remainder of the Session. He could see no reason why there should be any untimely haste in the settlement of this question. At the end of June, in the present state of public opinion, and having regard to the necessity of completing the English measure, it was not probable that they would get beyond the introduction of the measure. What had occurred with reference to the Bill for Scotland? Why even in that cautious and temperate country there had been complaints about incomplete justice and unsatisfactory arrangements, notwithstanding that a complete addition to the representation of Scotland formed a part of the Government proposition. What would be likely to be the result in Ireland at the present time if opportunities were constantly occurring for bringing up every imaginary grievance for inquiry and discussion? Could they safely discuss now how much the franchise should to be lowered and how many persons should be admitted? Was this a time for admitting a number of new electors within the pale of the constitution, when the palladium of liberty was suppressed by the concurrence and desire of all friends of the British Constitution? He trusted that the Government would still pause in pressing forward a very comprehensive change, though, when the time came, he should be glad to see a proper extension of rights to those who had maintained their loyalty. He regarded the measure of last year as very unsatisfactory. At the Census of 1861 the whole population of Ireland was 5,790,000, and the population of Ulster was 1,915,000, or about one-third of the whole; but of 105 Members for Ireland, Ulster returned only 29, while its population and wealth would entitle it to one-third; Munster, with a population of 1,500,000, had 27 Members; and Leinster, with a population of 1,457,000, had 34 Members. He might compare the province of Ulster, again, with Scotland. The latter had a population of 3,062,000, and 53 Members, while Ulster with a population of 1,915,000, had only 29 Members. This being so, the representation of Ulster should amount to 40 Members; and there were several growing towns there of from 7,000 to 10,000 inhabitants, which were now wholly unrepresented. In England they were taking Members from the South and transferring them to the North, and the same thing should be done in Ireland. The opinion in the North of Ireland was in favour of any measure being a well-considered one; and he believed that the proposition of the Government would afford the best opportunity for full investigation and for the framing of an impartial measure. The hon. Member for Tralee said the Irish Reform Bill must be passed before a dissolution took place; but that might easily be done, seeing that the hon. Member for Nottingham had stated that there need not be a dissolution for the next two years.

MR. COGAN wished to know whether the reasons assigned by the hon. Member who last spoke were those which had actuated the Government. If the postponement of the Bill was consequent on the suspension of the Habeas Corpus Act, it was strange that the Chancellor of the Exchequer should, up to Whitsuntide, have repeatedly promised to introduce the measure, and should only have woke up during the short recess, like a political

Rip Van Winkle, to the consciousness that exceptional circumstances existed in Ireland. On the very night before the recess the right hon. Gentleman stated his readiness even to postpone the third reading of the English Reform Bill in order to secure the introduction of the Irish measure. Was the promise thus solemnly made to be kept or not? The character of our Statesmen was part of the inheritance of the country, and the public would expect the fulfilment of this engagement. It might be found, too, that it would have been wiser to allow the measure to be introduced and dealt with in the present Parliament, than by one elected under what the hon. Member for Donegal (Mr. Conolly) styled this magnificent measure, for such an assembly was likely to be a good deal more democratic in its character and feeling, and consequently the policy it formed would probably be more Radical. He trusted that re-consideration might induce the Government to place their measure on the table, and by so doing show that they were not afraid to develope their Irish policy. It was clear that the postponment of the measure was not ascribable to the lateness of the period at which the Session had arrived, because the hon. Member for Devizes (Mr. Darby Griffith) with one of those searching and inconvenient questions which his ingenuity devises, asked the Chancellor of the Exchequer if the postponement were on account of the lateness of the Session, and the answer was that there was no intention of introducing a Reform Bill relating to Ireland. He appealed to all the true Reformers in the House to say whether they were prepared to acquiesce in the postponement of the measure, and to accept what, in fact, would be a slight and insult to one-third of the United Kingdom.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman who brought forward this Motion to-night appeared to consider that there were two causes for the postponement of the Irish Reform Bill by the Government, and the first is the occurrence of some elections that took place last autumn in Ireland, in the county of Tipperary particularly, where the election was, I believe, such as elections in the county of Tipperary generally are, and which I certainly think could not be alleged as any valid reason for the administration postponing a measure of Reform for the sister isle. [Mr. CHICHESTER FORTESCUE: I said nothing of that kind.] There was, I believe, another election for another county, and that occurred in the last autumn. It is certainly remarkable that we should be influenced by these occurrences; and that I should have, on the part of the Government, made a declaration as to our policy with regard to Ireland and Parliamentary Reform at a subsequent day, and that I should afterwards, and much more recently, have repeated it. I think that the House will agree, upon candid consideration, that whatever were the motives for our conduct, we certainly could not have adopted the course which we have done with regard to the Irish Bill in consequence of the elections of last autumn. Hardly anybody, I should think, except the right hon. Gentleman who made that the chief foundation of his argument, can seriously think that that is the reason for the course we have pursued.

MR. CHICHESTER FORTESCUE: I beg to assure the right hon. Gentleman that I made no use of that argument. I referred to those elections for a totally different purpose.

THE CHANCELLOR OF THE EXCHEQUER: Then I will come to the next, which I will, in courtesy, call the stronger argument. It may not have been the autumnal elections, which, though we have heard a great deal of, seem not to have been attended by any extraordinary circumstances. It was the deputation of Irish Members that I had the honour of seeing. [Sir COLMAN O'LOGHLEN: Hear, hear!] I am glad to hear that cheer from the hon. and learned Baronet, who has been more constant in his cheering to-night than any other Member of the House; but whose cheers have not, except in this single instance, been given to any remark from this side of the House. I gather from this cheer that the deputation is the recognized cause of the policy of Her Majesty's Government. Well, Sir, it is quite true that I had the honour of receiving a deputation of various Members for Ireland, who wished to confer with me on the subject of the Irish Reform Bill. In the first place, however, I may be allowed to say that that deputation, if I recollect right, was received by me before I made that last statement to the House with respect to the intentions of the Government, which has been so often referred to in the course of this discussion; and I hardly think that the most implacable foes of the Government would think that they could be so absurd and short-sighted as to make a statement of that kind after receiving the deputation, if the representations of that deputation were the real cause of our policy. Well, I had the honour of receiving that deputation, composed of a considerable number of Gentlemen connected with the representation of Ireland—I receive a great many deputations, and I can assure the House that, as a general rule, I prefer Irish deputations to any other. There is something so genial about Irish Gentlemen, their conversation is so agreeable to those who have the anxieties of public life, there is something so inspiriting in their presence, that an Irish deputation is the exception to all other deputations, and I look forward to it with pleasurable anticipations which are seldom disappointed. My recollection of this deputation is peculiarly genial. The interview, though short, was most agreeable and animated; but when the deputation had left me, my mind recurred to the alleged principal cause of our most agreeable meeting, and then I remembered it was probably my own fault that we had never touched upon the real subject of the interview. Therefore I assure hon. Members on both sides that there is no foundation whatever for that principal alleged cause of the policy of Her Majesty's Government, which has been the principal theme of this evening's discussion. Our policy has not been caused either by the elections of the autumn, or by the representations of the deputation to me. Then what has caused it? I will very frankly and distinctly state how the case really stands. We were very anxious to deal with the question of the Irish representation in the same spirit generally as we have dealt with that of England and Scotland. We made no promise of passing the Irish Bill this year; but it would have been satisfactory to us to have introduced the Bill, and, perhaps, to have been enabled to read it a second time. I need not inform the House that we have had to deal with circumstances in Ireland very different from those with which our predecessors have had to deal in treating the same subject. Everyone will acknowledge that the circumstances of Ireland, since we have been in office, have been of peculiar difficulty and anxiety; but I think that no one can accuse the present Government of being alarmists on the subject. We have not come down to the House of Commons unnecessarily to preach terror at the state of public affairs. If we can be charged with justice of any default of conduct in that respect I think, it may be by those who are not so intimately acquainted with all the details of business as ourselves. We may be charged by such persons, and with apparent justice, with taking too sanguine a view of the state, and temper, and general condition of the affairs of Ireland. When Parliament met, the House will recollect that, in Her Majesty's Speech from the Throne, under our advice Her Majesty did not ask for a renewal of those extraordinary powers intrusted to us, and which none of our greatest opponents can for a moment pretend to have been used in a spirit unworthy of us. I hope we may say for our ourselves that we have, so far as we could in our general system of Irish Government, evinced a spirit not distinguished by illiberality or by a spirit of tyranny. We had to deal with circumstances of great public perplexity, and involving great responsibility and no slight danger to the state; but they have been encountered in a spirit, I hope, of firmness and moderation, and on no occasion have we come down to this House and endeavoured to excite the feeling of exaggerated alarm. And although the Cabinet were unanimous in desiring that a measure of Parliamentary Reform for Ireland should be placed upon the table this year, and that a general outline of their policy should be made known, yet circumstances have occurred, to which I need not more particularly allude, because they must be fresh in the minds and memories of all, which would have retarded and affected the general character of the measure if we, at that moment, persisted in introducing it. Notwithstanding the grave occurrences which took place, we had reason to believe that, on the whole, we might have pursued with safety the policy we originally indicated. One speaks of such subjects with great reserve, and one ought to do so; but the Government of this country, so far as Ireland is concerned, have had to deal with external influences, so that the freedom of the Government to act in anything affecting the rights and liberties of the people of Ireland ought not to be decided on by a judgment drawn from a careful observation of the mere internal circumstances of the country, which may be deceptive; but that judgment may be modified, changed, and arrested in a moment by information of an external character, which must exercise considerable influence on the course of the Government. Until Whitsuntide there were moments when I certainly looked with some anxiety on this question of Parliamentary Reform. The Cabinet, although sharing this anxiety, were still constant in their policy to bring forward a measure for the reform of the Irish representation, characterized by that spirit of confidence in which they wished originally the measure to be distinguished. The right hon. Gentleman who has just addressed us has said that until Whitsuntide we felt ourselves justified in holding this language, and that something must have happened very suddenly, because when Parliament met again we changed our course. Well, something did happen, and it was necessary for the Cabinet to re-consider its course. I may be permitted to say that the first question before we met Parliament again which engaged the attention of the Cabinet was this question of Parliamentary Reform for Ireland. It was then the unanimous opinion of the Cabinet that it was not the duty of the Cabinet to bring forward the measure of Parliamentary Reform that was due to Ireland and due to themselves; for they could not, with the information they then possessed, and with the general views and conditions of what I may call the impending circumstances at that time—they could not bring forward such a measure as they had originally intended. Let us look, irrespective of those circumstances, to after Whitsuntide—what was the position of the Government in respect to this measure of Parliamentary Reform, so far as being able to proceed with it and make any great progress this year? That was quite impossible. Every one knows that if the state of Ireland had been as serene as the state of Scotland; and if none of those circumstances to which I have been enabled only darkly to allude did exist, it was still quite impossible, with the immense labour then entailed upon the Government by the measure of Parliamentary Reform for England, and the time it required in this House, to suppose that we could make any progress with the Irish Reform Bill in this House. All that we could have done would have been to have had the satisfaction of putting on the table a Bill. And in quiet times, if we could have put that Bill upon the table, as we had hoped to be able to do, it would have been a great satisfaction to the Government, and, perhaps, a source of strength to us. But circumstances occurring which did not authorize us to put the Bill on the table, was it not better to wait six or eight months, that must have elapsed without any progress being made in that Bill, and then, when Parliament met again, and when, perhaps, the cloud was dispelled, to come forward with a Bill such as we originally contemplated, for the improvement of the representation of Ireland? ["Oh, oh!" *from the Irish Members.*] Well, in such a case, we must decide on our own judgment. It was no slight responsibility, and we did not shrink from it. What should we have done—what progress could we have made if we had forced on some scheme of Irish Parliamentary Reform which would not have represented our original intentions, and which must have been modified and changed by the state of affairs in Ireland, or which might occur in Ireland? There are other exceptional circumstances in regard to this country which ought not to be forgotten, and which, allow me to impress upon you, had not been experienced by our predecessors. No Government have had to deal of late years with the circumstances which we have lately had to encounter, and which had mainly influenced our conduct. Let us look to the position of Ireland with regard to this question of Reform. No one will contend that the claims of Ireland for Parliamentary Reform are greater than those of Scotland. No Irishman even will pretend that they are so great. The wants and requirements of Ireland in respect to Parliamentary representation have, since 1832, once or twice occupied the attention of Parliament. Ireland has for a long time been in the enjoyment of that very county franchise which it is now only projected that England should enjoy. The claims of Scotland to our attention, we must acknowledge, are much greater than those of Ireland. The claims of Scotland were not, perhaps, sufficiently considered in 1832; but certainly nothing since then has been done to improve the representation of Scotland. Something, however, has been done to improve the representation of England. We have disfranchised more than one corrupt borough in England, and transferred the seats to other communities; but, so far as I know, nothing has been done to improve the representation of Scotland, either by the extension of the franchise or the increase of her representatives. Every one knows, although we have introduced a Reform Bill for Scotland, that our chance of passing it this Session is very slight. Many of those Scotch Members, even though they be our political opponents, will do us the justice of believing that we are acting with sincerity, and doing our duty in that respect. I wish I could induce the Irish Members to extend to us their indulgence and confidence in their own case. Whatever the faults of the Government may be, we can assure those Members that they are not influenced by the elections that have occurred in Ireland, nor by the representations of deputations of Irish gentlemen. The Government have had from the very first a desire to introduce a Bill for the representation of Ireland that would do justice to that country and give general satisfaction. Under any circumstances it was not possible this Session to have made any advance on that question. The Government could only have placed on the table of the House a general indication of their policy. I have now expressed, frankly and truly, the reasons which influenced us in the course we have taken, and which ultimately led us to think that it was not consistent with our duty to our Sovereign, our country, and ourselves, to place any measure for the improvement of the representation of Ireland on the table of the House this year. We know that by the course we have taken no substantial injury has been done to Ireland, because no real delay has taken place; and we look forward with confidence and hope—if we occupy these seats next year—that when Parliament meets, one of our first and one of our most agreeable duties will be to bring forward a Bill to improve the representation of Ireland.

Mr. GLADSTONE: Sir, I hope that this debate will not continue to be a debate divided exclusively between the official Members of the House and the Irish Members. I certainly, for one, feel the force of the appeal made by my hon. Friend the Member for Tralee (The O'Donoghue). He spoke, and spoke with truth, of the loyal support which a large number of the Members from Ireland have yielded, under circumstances not the most favourable, to the cause of Parliamentary Reform; and, so far as I may presume to give an answer to that appeal, I should say it must be a primary duty on the part of those who are interested in the question of Reform on behalf of England, and also on behalf of Scotland, to prosecute their work until the just claims of Ireland have also been satisfied. Now, the speech of the right hon. Gentleman in some respects, I think, throws light upon this subject. I think we are justified in inferring from that speech that Her Majesty's Government intend at the commencement of the next Session to prosecute a measure of Parliamentary Reform for Ireland. And so far I have no doubt his declaration will have given satisfaction, in comparison with the far more vague and general terms which on at least one former occasion, possibly without intending it, he appeared to use; and therefore, Sir, I hope that my right hon. Friend (Mr. Chichester Fortescue), having the prospect of a measure of Parliamentary Reform for Ireland at the commencement of the next Session, will not deem it necessary to challenge the judgment of the House on the Motion which he has now made. It would, I think, be passing beyond that line of duty which he has so carefully observed, were he to attempt to force Her Majesty's Government on a point such as that which now alone remains for discussion. But, having said that, I cannot but still adhere to the opinion that Her Majesty's Government have judged and have acted unwisely in not producing a measure of Parliamentary Reform for Ireland. I do not care to inquire minutely whether the necessity for such a reform was precisely the same in the three countries. It is quite enough to say that in each of the three countries it was necessary; and the Bill which was passed for Ireland some sixteen years ago was a Bill not so much intended to advance Ireland to a position more advantageous than that of England and Scotland, as to remove the special disadvantages under which, up to that moment, the Irish people had laboured. Undoubtedly the operation of that Bill has not been to place Ireland in a greatly better position with regard to popular representation than either of those two countries. But it is quite enough—perhaps I might even say it is more than enough—to say that for all the three countries Reform is necessary, and being for all three a subject necessary to be entertained, it was the duty of Her Majesty's Government to produce, during the discussions on the English Bill, their plans for Ireland. It was due, I venture to say, to Ireland in point of feeling that she should be convinced that she was to receive equality of treatment. It was due to England, and to those who were engaged in considering the English Bill, that they should know the views of the Government in regard to Scotland and Ireland; and I should like to ask the right hon. Gentleman, and those who sit behind him, what they think would have been said in the year 1866, when we were in office, had we endeavoured to escape from the obligation to produce an Irish Bill at the same time that we were dealing with the question for Scotland and England? It is true that an hon. Member has declared that my right hon. Friend was not entitled to arbitrate on this matter because his Bill was so bad a measure. But if it was so bad a measure for Ireland, that was an additional reason why the present Government should produce a good measure on the subject. If my right hon. Friend introduced a bad measure, Ireland was wronged by it, and the redress of that wrong ought to have been an additional motive with the present Government to bring forward their measure. Sir, the promise of Her Majesty's Government was a promise on which we had implicitly relied. No disposition was shown to force them forward with undue haste; but, undoubtedly, had we been aware that, at a late period of the Session, the Government would announce their intention not to produce a Bill, I think much earlier notice would have been taken of the matter in a distinct and substantive form, and the principle would have been asserted that on every ground the views of the Executive with regard to Reform in Ireland were essential to be known, in order to place this House in a position of due advantage with reference to the settlement of this great question for England and Scotland. But while I think the determination of the Government was greatly to be regretted, much more do I regret the reason on which the right hon. Gentleman founded that determination. The right hon. Gentleman says he has had to deal with Ireland under circumstances very different from those encountered by his predecessors. I do not care to enter into the amount of that difference. The Government may perhaps be in a condition fairly to urge that they feel their tongues are tied, and it is not in their power consistently with public duty to explain it. But undoubtedly, as far as the public are aware, they will not recognize the difference which the right hon. Gentleman supposes to exist, We have had to bring forward the subject of Reform at the moment when we were proposing for the first time the suspension of the Habeas Corpus Act in Ireland. The right hon. Gentleman has had to bring it forward at the moment when he was proposing to continue that suspension. If he says, "Yes; but there have been partial outbreaks in Ireland this year which did not occur last year," the answer is obvious; that it was during those partial outbreaks that he assured us he would bring in a measure of Reform for Ireland. But I wish frankly to grapple with this question in a broader shape, and I say at once that, in my opinion, the suspension of the Habeas Corpus Act, and the consequence of those unhappy though slight outbreaks in Ireland, and the indications of disaffection among the people there, were not a reason why a measure of Reform should not have been produced, but were the very strongest reason why it should. For how is it to be supposed that we are to deal with Ireland? Are we to trust to holding Ireland by an external force and pressure, or to trust to holding it by the free conviction and the warm affection of the people? If it is by the conviction and the affection of the people that we are to hold Ireland, then I say that to propose for Ireland an improvement in its system of popular representation was of itself a means of assisting the Government in maintaining order in that country. One hon. Gentleman has, I think, said that it would have been most imprudent to offer a measure which would have been regarded by discontented persons as a theme of new dissatisfaction. But what does it matter, Sir, what views persons who are obstinately discontented may take? What we wish to do is to offer satisfaction to those who are reasonable and loyal. We admit that the representation of Ireland is in an unsatisfactory condition; and surely it is the strangest of all anomalies and paradoxes to say, when the people of Ireland generally have cause to complain if we show slackness in regard to applying a remedy to a state of things confessedly defective, that on account of the discontent of those persons against whom your measure of repression has been directed the reasonable expectations of good and loyal citizens are to be frustrated, or their fulfilment postponed. I confess I am quite at a loss to know what reasoning can be urged in answer to this. Undoubtedly the right hon. Gentleman has urged no reesoning whatever in answer to it. He appears to have assumed that the very fact that there has been discontent among a portion of the people was a reason for the withdrawal or the postponement of his Bill. If there was a meaning in the declations of the right hon. Gentleman, it seems to me that that was their meaning. I admit to him at once that we cannot suppose that during the present Session he would have been able to make progress with that Bill. That is an admission which I think fairness and justice demand. But I think, independently of the other reasons that have been pointed out, the production of a measure of Reform for Ireland would have been an engagement on the part of the Government towards that country, which would not only have been a fulfilment of the just expectations of the people, but would have actually tended to strengthen the hands of the Government in what I acknowledge to have been the arduous task of administering the affairs of Ireland in the present year. I cannot but think, theretore, that Her Majesty's Ministers have misjudged both the true exigencies of the case and also their duties under these circumstances. But, at any rate, the question having been reduced within narrow bounds, it ought not to be exaggerated; and least of all at a time like this should any step be taken that would appear to have the slightest tendency to connect it with our ordinary distinctions of party in this House. Therefore, passing on from that which relates to past times, I thank the right hon. Gentleman for the assurance he has given us with respect to the future. I hope that this measure of Reform for Ireland, when it appears, will be found to have been conceived in a just and liberal spirit. We must look not to this part of the country or to that. I think there might be some reason to question the expression of one hon. Member opposite, who said he did not think there was any great anxiety for Reform in Ireland, but trusted that when the Reform Bill for Ireland did appear it would be satisfactory to the loyal and contented portion of that country—a portion, as I understood him, rather geographically defined. Sir, I know of no geographical distinctions in Ireland whatever having reference to the loyalty and contentment of the people. I think we must decline to accept any such geographical distinction. I trust the measure of Her Majesty's Government, when it is presented to us, will be found to have been framed on broader and more impartial views, and to aim at giving a full and fair development to popular influences in the representation of Ireland, and, above all, will be free from that most odious of all imputations of favour to this or that interest or class or sect in a country whose unhappy divisions can never be cured except by the firm and impartial application of considerations of liberality and justice.

Sir FREDERICK HEYGATE thought the speech of the right hon. Gentleman furnished a most remarkable instance of misapprehension of the state of Ireland. For his own part he could see no reason to suppose that the disloyalty or the want of prosperity which prevailed in that country were in any way to be attributed to the absence of a Reform Bill. Indeed, the greater portion of the speech which the late Chief Secretary for Ireland had made last year on the subject went to show that, whatever might be the case with regard to England and Scotland, Ireland hardly stood in need of a measure of Reform at all; and when the right hon. Member for South Lancashire contended that she required additional popular representation, he should like to know whether he referred to the counties or the boroughs. As to the borough franchise, he could not for a moment suppose that so small an alteration as that which had been proposed in it last year would make much difference in the happiness and prosperity of Ireland; while, in the South, the reduction of the county franchise would only tend to throw additional power into the hands of the landlords. The allocation of seats, he might add, was a question of much less importance in Ireland than in England, because there there was no large town unrepresented, and when it was borne in mind that the *habeas corpus* was suspended in Ireland, he could not help thinking that it would be admitted no more improper time than the present for the introduction of an Irish Reform Bill could be selected. No blame was therefore, he maintained, to be attributed to the Government for not having brought in such a measure this Session.

Amendment, by leave, *withdrawn.*

THE VOLUNTEERS.—RESOLUTION.

Captain VIVIAN rose to call the attention of the House to the Circular lately issued by the War Department defining the duties of Volunteers in case of riot. Before introducing the subject, he observed that no doubt the alteration of the hour of sitting on Tuesdays and Fridays had been beneficial to the discharge of public business; but its effect on private Members had been to extinguish them, on account of the late hour before they could bring forward their Motions at the Evening Sittings.

Although the hour was late he hoped the House would give him its attention for a short time whilst he brought before it the Motion of which he had given notice. He did not mean to condemn the whole of the Circular, and if it had been confined to the first four paragraphs and the last, no objection could have been taken to it. Taking, however, the first paragraph in connection with the answer given by the Secretary of State for War to a question put to him on a former occasion, it would appear that he either had no confidence in the opinion of the Law Officers of the Crown, or in the interpretation which he (the Secretary of State for War) had given to it. The five paragraphs to which he had alluded contained all that was necessary for the Volunteer corps. The fifth paragraph was, comparatively speaking, harmless; but he thought it contained more than was required. In it he thought the Secretary of State for War had trenched on the duties of the Home Office, because it was not usual for the War Office to lay down duties, conditions, and circumstances under which special constables might be called on to act. He now came to the serious part of the document; and he complained of it in the interests of the Volunteer corps, because it would destroy the popularity of that force. The sixth paragraph of the Circular stated—

> "In cases of dangerous riots and disturbances, for instance, in case of insurrection or of riots having for their object the commission of felonious acts or the subversion of the civil Government, the civil authority may call upon and require Her Majesty's subjects generally, including Volunteers, to arm themselves with and use such other weapons of defence or attack as may be in their power and may be suitable to the occasion, and such other weapons may be used accordingly by Her Majesty's subjects, including Volunteers, according to the necessity of the occasion."

Now, he wanted to know who was to define to the Volunteers what was a "dangerous" riot as distinguished from a common riot, and who was to say whether a riot or insurrection had for its object the commission of felonious acts before the felonious acts were committed? He wanted to know what the Attorney General considered a felonious act? Did he think that the breaking into a house and gutting it constituted a felonious act? It was his misfortune to be a member of an Election Committee appointed to try a petition from Nottingham. The petition contained a charge of riot, which was not proved to the satisfaction of the Committee; but it was proved that in more than one instance mobs broke into houses, entirely destroyed the furniture, and broke all the windows. They so frightened the inhabitants that, in one instance, a committee were obliged to escape from a hole in the roof of the house. Was that a felonious act, and would the Volunteers have been justified in interfering in the election riots of Nottingham? The Circular went on to state that—

> "Fire arms should be the last weapon called into action, and should only be resorted to in cases when, without their use, it would be practically impossible to quell the disturbance."

But this Instruction did not stand alone. The eighth paragraph of the Circular stated that Volunteers, in acting as special constables or otherwise for suppressing and quelling riots were entitled to use and put in action such knowledge and practice of military discipline and organization as they might possess, for the purpose of making their combined strength and the use of such weapons as the occasion might justify more effectual. The climax of the Circular was the ninth paragraph, which stated—

> "Her Majesty's subjects, including Volunteers, in cases in which it is proper for them to act for the suppression of riots, should act, if it be practicable, under the direction of the civil authority; but they will not be released from the obligation to use their reasonable endeavours for the suppression of riots and disturbances, according to the necessities of the occasion, if magistrates should not be present, or not within the reach of immediate communication when any such occasion arises."

Now, there never was a more dangerous doctrine than that which was contained in this paragraph, and if it were suffered to remain without explanation or Amendment, it would strike a death-blow at the Volunteer force. He had already pointed out the complete ignorance in which this instruction left the Volunteers of how they were to act in cases of emergency. But in this last paragraph it was laid down that the Volunteers might be called upon to use their arms against the people without the orders of the civil authority, and he must add that this was attempted to be laid down by as Jesuitical a piece of special pleading—he did not use the word offensively—as he had ever seen in any public document. The Circular, moreover, stated distinctly that the Volunteer officers were to be the judges of what was and was not insurrection. Now, he had always thought that in domestic disturbances in this country the military were absolutely subservient to the civil authority. The statement in the Circular was interpreted by a large body of Volunteers—rank and file as well as officers —to mean that the Volunteer force might be called out and employed independently of the civil power, and that Volunteer officers, although no civil authority was near, might be called on to judge what was or was not an insurrection, and might tell their troops to fire on the people. Such a document as the Circular was calculated to create a war of classes. The Volunteer force had hitherto been considered the defenders of the people against foreign invasion; but, henceforth, they might well be looked on as the possible enemies of the people, and as possible instruments in the hands of an unscrupulous Government. He only spoke in reference to the way in which the document might be interpreted, not supposing that the Government, when they framed it, had any such idea in their mind. If once the belief was destroyed that the Volunteer corps was only a force against foreign invasion their popularity would be gone, and he should not be surprised if the document he had been commenting on caused a large retirement of men from the Volunteer force. He had a great admiration of the force, knowing how valuable it was, and he therefore hoped that it was only from inadvertence that such a mischievous document had been circulated. He trusted that the Government would withdraw it, or that the House, at any rate, would, by adopting his Resolution, show that it differed from the Government in its view respecting the duties of the Volunteer force.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens, and are in such cases no more than any other Citizen liable to orders or instructions from the Military or Civil Authorities,"—(*Captain Vivian,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL said, that it appeared to him that the hon. and gallant Member had not read the Circular with sufficient attention. The hon. and gallant Member had stated that the Volunteer officers might, according to the Circular, be called on in cases of riot to command the Volunteers to act without the authority of the civil power, and that the Volunteers might be called on to act as Volunteers in case of riot. This was a most singular interpretation of the document. It was emphatically stated in one of the earlier parts of the Circular that the civil authority was not in any case entitled to call upon or order the Volunteers to act as a military body, with or without arms, in the preservation of the peace. This was not repeated in every paragraph, but it governed the whole of the document. But they were also told that they were not released from the ordinary duties of Her Majesty's subjects; and the Circular pointed out the duties which in the preservation of the peace were incumbent on all Her Majesty's subjects. It pointed to extreme cases that might arise, which must be handled with delicacy. and showed that Volunteers were not exonerated from the discharge of those duties that necessity might impose, and which must be performed with the same responsibility by them as by other of Her Majesty's subjects. Great care was taken upon this point. That was the view of Her Majesty's Government and of the Law Officers. And so with the Resolution of the hon. and gallant Member. Every word of it might be adopted. It appeared, indeed, as if it had been borrowed from the terms of the Circular itself. The Circular was in entire harmony with it. The first four paragraphs were not objected to, and the only objection to the fifth paragraph was that it was not issued by the Home Secretary. He thought the fifth paragraph must also be approved, always bearing in mind that what governed the whole was this—that, as a military body, the Volunteers could not be called on to act under any circumstances, however extreme. The Circular went on to point out what was their duty, not as a military body, but as a portion of Her Majesty's subjects; and it particularized what, in case of riot, would be the duties of special constables, whether they were Volunteers or not. The hon. Member asked for a definition of a felonious act. Did he suppose that the Circular could point out instances?

CAPTAIN VIVIAN had asked how any one could tell before an act was committed whether it would be felonious or not.

THE ATTORNEY GENERAL: That must be judged from the animus which was seen to prevail at the moment. If a number of men complained of some common being enclosed to which they thought they had a right, and assembled round the paling threatening to pull it down, it did not want any great insight to determine from their motive that they were not about to commit a felonious act; but if they evinced a design with a view to plunder, or to the subversion of civil authority, to pull down houses and commit acts of that kind, these were felonious acts. He did not think it possible in a Circular to do more than point out that in certain extreme cases measures would be justifiable which in less extreme cases would not. The nature of the proceedings would teach them under responsibility to the law what course was to be taken, and necessity would justify what they did. The Volunteers were not exempted from those duties which all Her Majesty's subjects were bound to fulfil. There could be no other directions or instructions. Volunteers could not be called upon, under any circumstances, to act as a military force; but they were not exempted from the duties generally of Her Majesty's subjects. He said there was nothing more than that in this Circular, and it was right. He would take the sixth paragraph—

"In cases of serious and dangerous riots and disturbances, for instance, in case of insurrection or riots having for their object the commission of felonious acts or the subversion of the civil government, the civil authority may call upon and require"—

What?—

"Her Majesty's subjects generally, including Volunteers, to arm themselves with and use such other weapons of defence or attack as may be in their power and may be suitable to the occasion, and such other weapons may be used accordingly by Her Majesty's subjects," again "including Volunteers, according to the necessity of the occasion."

Then the seventh paragraph—

"Firearms should be the last weapons so to be called into action, and should be resorted to only in cases when, without their use, it would be practically impossible to quell the disturbance."

These paragraphs were addressed not more to one than the other; they applied not to Volunteers only, but to all Her Majesty's subjects called on to assist in preserving the peace. So with regard to the ninth paragraph, the governing idea was that—

"Her Majesty's subjects, including Volunteers, in cases in which it is proper for them to act for the suppression of riots, should act, if it be practicable, under the direction of the civil authority; but they will not be released from the obligation to use their reasonable endeavour for the suppression of riots and disturbances according to the necessities of the occasion, if magistrates should not be present or not within reach of immediate communication when any such occasion arises."

The Resolution of the hon. and gallant Member, though borrowed from the Circular, merely said what the duties of the force were not; it did not go on to say what the duties of Her Majesty's subjects were; but it was necessary to say that. It was quite right to say that the Volunteers had no obligations as a military force except in case of invasion; but it was necessary to say that Her Majesty's subjects had certain duties to discharge from which Volunteers were not exempted.

MR. W. E. FORSTER said, that the hon. and learned Attorney General had certainly succeeded in explaining away many of the objections to the Instructions issued from the War Office; and if the Volunteers were to read the Instructions, with his comments, and possessed sufficient legal knowledge to understand them, possibly any objection to the Instructions might be removed. But the explanation of the Instructions left on his mind the impression that the Secretary for War had somewhat forgotten his position in the matter. What the commanding officers of the Volunteer forces wanted was, not a merely legal opinion as to what Her Majesty's subjects, Volunteers or others, might do in certain cases, but definite orders from the Secretary for War as to what they were to do under difficult and possible eventualities. The Secretary for War could not release himself from the responsibility of being the commanding officer of the Volunteers. Their position was a difficult one. The force was formed on the understanding that it was not to be used except to resist invasion, and that it was not to put down riots, and that was the understanding on which the force was legalized and supported by Parliament. On the other hand, they feel that if any appeal is made to them in case of a disturbance, and in the absence of any definite instructions from the Secretary at War, they refuse to accede to the appeal, they will stand in a position which honourable men and men of spirit were not to be expected to bear. That being the case, what was wanted were definite orders from the Secretary for War. He would defy any commanding officer to make out from the Instructions what he was to do in case of riot. An hon. Friend of his had most pertinently asked how was a commanding officer to know whether a riot or a disturbance was serious or dangerous? According to the Attorney General a commanding officer was not to see a house pulled down; but if he was to interfere in every case in which a house might be pulled down, the arrangement on which the Volunteer vote was granted was at an end. The Circular said the Volunteers were not to act as a military body, a phrase which betrayed its legal origin; and yet it said—

> "All Her Majesty's subjects, including Volunteers, in acting either as special constables, or otherwise, for suppressing and quelling riots, are entitled to use and put in action such knowledge and practice of military discipline and organization as they may possess, for the purpose of making their combined strength, and the use of such weapons as the occasion may justify, more effectual."

The Attorney General passed lightly over this, speaking of such knowledge as the Volunteers possessed, and not of their knowledge of military discipline. What was the meaning of military discipline, if it did not imply the giving of orders? When the Volunteers were placed in such a difficult position it was not fair, and scarcely generous of the War Office to send them out such Instructions, stating on the one hand that they could not act as a military body, and that officers had no power over their men, and, on the other, that they might use such knowledge of military discipline as they possessed. How was an unfortunate man to know what to do? Placed in this position he might use tremendous force and fire volleys with destructive effect. He fancied the Secretary for War had not considered all that this instruction might imply. If Volunteers were to be used as an armed force under any circumstances let an Act be brought in to to provide for their acting under officers. He could not conceive anything more dangerous than a body of Volunteers being used in the way that these Instructions contemplated, not as a military body, but as a force armed with dangerous weapons, acting as neighbours against neighbours, and that with the knowledge of, but without the power to put in practice, military discipline. Firing might begin and nobody have the power to stop it. The House might think that dangerous circumstances were unlikely to arise; but they had arisen at Sheffield, after the Chester raid. On an alarm occasioned by an anonymous letter, which might have been a hoax, Volunteer officers met, kept men under arms all night, and caused musketry and field ammunition to be served out to them. Suppose the matter had gone further, what might have happened? Something much more definite than this legal opinion was required to guide men under these circumstances. The Instructions might have been shorter and clearer. If the Secretary for War had informed the Volunteers that the Act of Parliament gave them no power over other men in case of civil disturbance; and that he therefore confirmed the Instructions issued by his predecessor, Lord Herbert, which states that the Volunteer force is not intended to be used on the occurrence of local disturbances, that might have been sufficient. Perhaps it might have been added that Volunteers were not released from their duties as citizens. What they required to know exactly was what they were to do with their arms. They were responsible to the Secretary for War for use of them, and he was responsible to the country for the use they made of them. They ought to have been told that they were not to use their arms for any purpose not contemplated by the Volunteer Act without the authority of the Secretary for War. We were, perhaps, too apprehensive of such an emergency as a Fenian attack; but in such a case it should be impossible for the Volunteers to use their arms except upon a special order from the central Government, which Parliament would afterwards indemnify. While he would not let it be said we should not make use of Volunteers on extraordinary occasions, he would not neutralize and destroy the value of the force by making it ordinarily available. The feeling of the House, of the country, and of Volunteer officers would convince the Government they had better withdraw the instructions, and issue short and precise rules which could be understood.

Colonel NORTH, referring to the Chester raid, said, that if it was not an invasion it was like one, because the town was visited by American and Irish strangers, whose object was understood to be the capture of the castle, and the appropriation of the arms stored there. He quite agreed that, as a rule, the Volunteer force should not be employed to act as a military body in cases of common disturbance; but, for his own part, if he had had the command of a body of Volunteers on such an occasion as that of the threatened attack on Chester Castle, he should certainly have felt it his bounden duty to call upon them to act as a military body. It might be advisable that, where it was possible, the Secretary of State should issue an order; but surely, on a sudden emergency, it would become the duty of the officer of the Volunteers to determine whether it was his duty to call on his men to act. Many years ago, in 1829, 1830, and 1831, during a state of things which never happened now, and which he trusted would never recur, the military were in constant collision with the people in the manufacturing districts. The interpretation which he put upon this Circular was, that if a body of Volunteers in plain clothes and armed with constables' staves were found together, it would be for the public benefit that they should take advantage of their military knowledge, as far as drill went, and act against the mob. He had never left his barrack square on that most painful of all duties to a British officer to act against his fellow-countrymen that he did not feel conscious of the great responsibility which rested on the soldiers. Notwithstanding the reproach too often cast upon English soldiers respecting their anxiety to shoot at their fellow-countrymen—["No, no!"]—Well, was not that constantly stated in the House? His own opinion was that, except in cases like that of Bristol, where it became necessary that the military should act with vigour, a battalion of Volunteers armed with staves would be more effective than regular soldiers, because the latter were always most reluctant to fire upon the people, even when called upon to do so. As to the present Circular, he thought that, as far as the Volunteers were concerned, the first four clauses and the last clause were very safe. He might remark that most of the commanders of Volunteer battalions were also magistrates; and therefore the question was, whether under certain circumstances they could act as magistrates or simply as officers in such cases, and whether they would or would not have to call in the aid of the civil magistrates to direct them? With regard to questions of this nature some further explanation was needed; but he must state that these regulations had been drawn up for the purpose of conveying general and not definite information. As a rule, Volunteers ought not to be employed, in his opinion, under any circumstances in a common riot; but in extreme cases, such as that of the Bristol riot, it became necessary that every citizen should exert himself to the utmost, and that the Volunteers should be called out as an armed body. In such a case, if he were in command of a battalion of Volunteers, he should act in a military point of view, and then take his chance as to whether his conduct was subsequently approved or not.

SIR JOHN PAKINGTON thought that hon. Gentlemen opposite were very difficult to satisfy on this subject. The other night the hon. Member for Bradford (Mr. W. E. Forster) had addressed to him some questions which he answered as fully as he could, and in a manner which he believed was satisfactory to the hon. Gentleman himself. He would only add that questions of law were mixed up with the subject, and it consequently became necessary that the regulations should be examined from a legal point of view. Afterwards the hon. and gallant Member for Truro (Captain Vivian) gave notice of a Motion relating to this matter, and the moment he saw it he stated that he did not see the slightest objection to it, because he thought it was in accordance with the spirit and intention of these regulations, and because, not being a lawyer, he thought it was also in accordance with the letter of the regulations. His hon. and gallant Friend had now brought forward his Motion, which had been met by a very clear and able statement on the part of the hon. and learned Attorney General. The hon. Member for Bradford appeared to have listened with great surprise to the statement, and had expressed his opinion that it was very clear in regard to the law on the subject. Indeed, it appeared to dispose so entirely of the imaginary difficulties which had been raised that the hon. Member for Bradford, in order to escape from his own difficulties, said—"I must turn to the Secretary of State for War. I must turn to somebody who is not a lawyer, and therefore I will ask the Secretary of State for War why he does not draw up some plain regulations for the guidance of the Volunteer force?" He would remind the hon. Member and the House of the origin of these regulations. The demand on the part of the House that Volunteers should not in cases of emergency be left in doubt as to their duties, arose, he believed, out of the occurrences at Chester. It thereupon became necessary for the War Department to frame some regulations on the subject, and the regulations which were drawn up were, very naturally, submitted to the opinion of the Law Officers of the Crown. The consequence was that the original regulations were considerably altered, and assumed their present shape. His hon. and gallant Friend the Member for Truro had no objection to the first four or five regulations, and, consequently, the only question which could possibly arise was whether it would be politic to introduce the other regulations respecting the extreme cases which might arise? On the grounds which had been most ably stated by his hon. and learned Friend the Attorney General, he thought that in such a document the Volunteers ought to be told what it was their duty to do, not as soldiers, but as citizens, whenever extreme cases arose. The hon. Member for Bradford had asserted that the Volunteers were told in these regulations that they might act as an armed force; but he (Sir John Pakington) begged to deny that they were told they might do so. They were only told under what circumstances they might, as citizens, use their arms, and that was all. The hon. Gentleman said they should be told when and on what occasions they might use their arms; but the answer to that was that it was impossible beforehand to tell what might be the circumstances under which it might be the duty of Volunteers, as Englishmen and citizens, to use them. He maintained that the regulations were in exact accordance with the language of the present Resolution, and he hoped his hon. and gallant Friend would agree that they were no more than ought to have been issued, and that if they had stated less, they would have been incomplete and inadequate to convey that instruction which Englishmen would require when extreme circumstances arose.

Lord ELCHO said, the feeling of uncertainty, and even of dissatisfaction, created by the Instructions under discussion was not confined to hon. Members of that House; for, at a meeting of the commanding officers of Volunteers in the metropolis held the other day, the question was incidentally raised, and a desire was then expressed that if possible something more definite should be laid down with regard to the position in which they were placed. No doubt it would be difficult to issue clear and definite Instructions that would apply to all cases which might arise; but he learnt from what had been said that night that the Government seemed inclined to follow the principle lain down in the Circular issued by Lord Herbert in June 1861, in which this paragraph appeared—

> "I have also learned that in some cases Volunteer corps have been called out in aid of the civil power on the occurrence of local disturbances; and I have to point out to you that the Volunteer Force is not intended to be employed in that manner, and it is inexpedient that they should be assembled on any such occasions."

It appeared to him, therefore, that the best course to adopt, under existing circumstances, would be to strike out passages 6, 7, 8, and 9 from the Instructions, and leave in passages 1, 2, 3, 4, 5, and 10. He recollected that when the Bill under which the Volunteers were embodied was under discussion in that House his right hon. Friend the Member for Morpeth (Sir George Grey) stated that a case might arise of some great national emergency in which the Secretary of State might feel it to be his duty to stretch the law in order to preserve order. He did not think the discussion of to-night left any doubt that if such an emergency should arise, and that the Secretary of State did exercise extraordinary powers in the case of the Volunteers, the House would at once grant him an indemnity. Under these circumstances, he thought that if the paragraphs to which he referred were omitted the position of matters would be perfectly satisfactory.

Mr. THOMAS HUGHES concurred in the remarks made by the noble Lord who had just preceded him as to the omission of paragraphs 6, 7, 8, and 9. It appeared that a certain amount of responsibility rested upon the Volunteer officers, but that the law as it now stood gave them no power over their men in cases where that responsibility would be felt. He thought it would be better to return to the old law, and to give the Secretary of State power to call out the Volunteers in cases of emergency when they might be required to act as a military body.

General PEEL said, that the Circular had been issued in consequence of applications from the Volunteers after the occurrence at Chester. He thought that as regarded the Volunteers, paragraphs 1, 2, 3, 4, 5, and 10 would be sufficient, because paragraphs 6, 7, and 9 did not apply to Volunteers particularly. They were Instructions to the civil authorities and Her Majesty's subjects generally.

The SOLICITOR GENERAL could not but think that the Circular would be defective if the paragraphs which had been objected to were struck out. Would it be expedient in such a Circular only to tell the Volunteers a part of their duty? He could not but think that a Circular issued to Volunteers should lay down general instructions as to the cases in which Volunteers or other persons were authorized to use the constable's staff or to use arms. Every one who wanted to know the opinion of high judicial authorities on this point would look to what was said by Chief Justice Tindal, who pointed out what was the duty of the soldier and what that of the citizen. Chief Justice Tindal said—

> "But if the occasion demands immediate action, and no opportunity is given for procuring the advice or sanction of the magistrate, it is the duty of every subject to act for himself and upon his own responsibility in suppressing a riotous and tumultuous assembly; and he may be assured that whatever is honestly done by him in the execution of that object will be supported and justified by the common law. And while I am stating the obligation imposed by the law on every subject of the realm, I wish to observe that the law acknowledges no distinction in this respect between the soldier and the private individual. The soldier is still a citizen, lying under the same obligation and invested with the same authority to preserve the peace of the King as any other subject. If the one is bound to attend the call of the civil magistrate, so also is the other; if the one may interfere for that purpose when the occasion demands it without the requisition of a magistrate, so may the other too; if the one may employ arms for that purpose, when arms are necessary, the soldier may do the same. Undoubtedly the same exercise of discretion which requires the private subject to act in subordination to and in aid of the magistrate, rather than upon his own authority, before recourse is had to arms, ought to operate in a still stronger degree with a military force."

It had been proposed, in consequence of a discussion in that House, that some general instruction should be given to Volunteers as to what was their duty in case of riot and disturbance. He quite agreed with the hon. and gallant Member for Truro that Volunteers were to do what other subjects of Her Majesty were to do. But would it have been satisfactory to lay down in a single line—"The Volunteers are to act in the same way as the other subjects of Her Majesty?" [*Cries of* "Yes!"] Would it not have been said that the Instruction was so meagre as to give no information. The Circular stated that, as a military body, the Volunteers could not be called out, and then it went on, in accordance with the language of the Judges, to lay down that in cases of serious and dangerous riots and disturbances the civil authority might call upon Her Majesty's subjects generally, including the Volunteers, to arm themselves and use such weapons of defence or attack as might be in their power, and might be suitable to the occasion. Should the Circular have stopped short and not said a word about those serious riots, and what was the duty of the Volunteers in common with the rest of Her Majesty's subjects, in case such disturbances took place? It was stated in the strongest manner that in no case were arms to be resorted to, except where it was impossible by other means to suppress the riot. It further stated that it was quite right and proper that the Volunteers should use and put in action such knowledge and practice of military discipline and organization as they might possess. He maintained that if called on to aid in suppressing a riot Volunteers were bound to make use of such knowledge at the earliest possible moment, because by that means serious consequences might be averted. Could it be said that if twenty soldiers happened to be on leave of absence in a place where a riot was taking place, and they were called on to aid in suppressing it, they would not be right in making use of their knowledge of discipline? And if twenty, why not forty or any greater number? [An hon. MEMBER: With arms?] He was not saying with arms. In the paragraph which conveyed the instruction relative to the use of the knowledge and practice of military discipline not a word was said about arms. If Volunteers did not read those Instructions carefully, that was not the fault of the law officers, or of those who issued the Instructions. If 500 persons with a knowledge of discipline were engaged in quelling a riot it would be absurd to say that they were to forget that discipline, when a knowledge of it would have a beneficial effect in the suppression of the riot. The hon. Gentleman opposite asked whether the Volunteers were to use their arms. They were told in the instructions that they were not to do so unless the necessity of the case required it, and, in that case, the law distinctly was not only that they ought, but were bound to do so. Would any one tell him that if a man's house were attacked and he had arms, that he ought not to use them to defend it? He profoundly objected to the term "calling out the Volunteers." There was no such thing as calling out the Volunteers; and anybody who read the instructions candidly must see that it was expressly stated that there was no such thing. But if men joined a Volunteer corps they were not by reason of so doing exempted from their liabilities and duties as citizens; and if called upon to act they should have the same general knowledge of what their duties under certain circumstances would be as in the case of special constables. He ventured to think that if the Instructions objected to were left out the Circular would not be exhaustive, and by inserting them there was not a single word in them which rendered the Resolution which the hon. Member wished the House to come to more needful, because the points laid down in the instructions were entirely in accordance with the principles of the Constitution and with those laid down by the common law of the land.

SIR GEORGE GREY had entertained a hope when the hon. and learned Gentleman rose that he was about to concur with the very reasonable proposal made by the noble Lord the Member for Haddingtonshire (Lord Elcho), and endorsed by the right hon. and gallant General opposite (General Peel), with all the knowledge of the subject which he possessed. He much regretted to find that such was not the case. The intention of the Government in issuing these Instructions was plain enough; but it would have been sufficient to explain in the clearest and most explicit terms what was actually the law. The Instructions had failed in their object, which was to explain to commanding officers what were their duties under certain special circumstances; for these officers now complained that the four paragraphs in the Instructions, the omission of which was now suggested, threw upon them a degree of responsibility, and left a certain amount of doubt which really defeated the object of the Instructions. As it appeared to the ordinary reader, the only effect of retaining these paragraphs in the Instructions was to keep up a distinction between Volunteers and the rest of Her Majesty's subjects and the duties which they had to perform under certain circumstances. It was quite right that Volunteers should be informed that they could not be called on to act as a body for the repression of civil disturbances, yet that they retained all their liability in common with all other persons to aid the civil power; but if instructions were necessary for the guidance of Volunteers in common with the rest of Her Majesty's subjects, these ought not to come from the War Department, but from the Secretary of State for the Home Department. In extreme cases which had been referred to any Government which knew its duty would not shrink from the responsibility of taking all the means at its command for the repression of serious disturbances. But responsibility ought not to be left upon the commanders of Volunteer corps, and the right hon. Gentleman, with a view of satisfying these officers, and in deference to the general opinion which had been expressed by the House, would consent, he hoped, to omit the four paragraphs from the Instructions. Having done that, the Government would have fulfilled its obligations in a satisfactory manner, and in entire accordance with the general feeling.

SIR JOHN PAKINGTON said, that after what had fallen from his noble Friend, and the appeal made by the right hon. Gentleman opposite, he certainly should take into consideration how far it might be desirable to omit from the copies of the regulations issued to Volunteer officers one or all of the paragraphs objected to. But he must guard himself, after the opinions which had been expressed by the highest legal authorities, from giving any pledge or promise on the subject, and must take some time to consider, under all the circumstances, the course most advisable to be taken.

CAPTAIN VIVIAN hoped the right hon. Baronet would lay upon the table copies of the amended Circular before it was issued to the Volunteers.

Question put, and *negatived.*

Question proposed,

"That the words 'the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that Force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens, and are in such cases no more than any other Citizen liable to orders or instructions from the Military or Civil Authorities,' be added, instead thereof."

MR. AYRTON took exception to the concluding words of the Motion, which, by implication, asserted that in case of disturbance Her Majesty's subjects passed under the control of the military authorities. He moved the omission of all the words after the word "citizens."

Amendment proposed to the said proposed Amendment, by leaving out from the word "Citizens," to the end of the proposed Amendment."—(*Mr. Ayrton.*)

CAPTAIN VIVIAN consented to omit all the words after "those of other citizens."

Question, "That the words proposed to be left out stand part of the said proposed Amendment," put, and *negatived.*

Question,

"That the words 'the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that Force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens,' be added to the word 'That' in the Original Question,"

—put, and *agreed to.*

Original Question, as amended, put, and *agreed to.*

Resolved, That the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that Force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens.

House adjourned at Two o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, July 1, 1867.

MINUTES.]—SELECT COMMITTEE—On Construction of the House *nominated.*

PUBLIC BILLS—*First Reading*—Adjutants of Volunteers * (192); Trusts (Scotland) * (195).

Second Reading—Salmon Fishery (Ireland) Act Amendment (168); Land Tax Commissioners' Names * (175); Railway Companies (Scotland) * (179), and *referred* to the Select Committee on "Railway Companies Bill."

Committee—County Treasurers (Ireland) * (149); Consecration and Ordination Fees * (193); Court of Chancery (Officers) (194); Court of Chancery (Ireland) * (172).

Report—County Treasurers (Ireland) * (149); Court of Chancery (Ireland) * (172).

Third Reading—Recovery of Certain Debts (Scotland) * (66); Drainage and Improvement of Lands (Ireland) Supplemental * (165); Lunacy (Scotland) * (163).

ASSESSMENT OF CHARITIES.

QUESTION.

VISCOUNT SYDNEY said, that a large deputation waited upon the First Minister of the Crown about three weeks ago to invite the Government to take some action upon this subject, and he now wished to ask the Lord Privy Seal, Whether the Government were prepared to bring in any Bill to alter the law affecting the Assessment of Charities?

THE EARL OF MALMESBURY said, that the subject was one of the very highest importance, and at this moment was attracting a great deal of public attention; but the pressure of public business this Session was so great, and the House of Commons was just now so overwhelmed, that it would be impossible to promise that any action would be taken on this subject during the present Session. The subject was one which required careful handling, because, however hard the case made out on behalf of some of these charities, there were other cases—for example, cases in which the locality derived no advantage from the charity—in which exemption of charities from payment of rates would put the locality to a great disadvantage. There were many other points which he would not mention now because that was not the proper time to discuss them; he wished merely to say that there was great difficulty in dealing with the subject, and that he could not undertake that any Bill should be brought forward this year.

MOLDAVIA—PERSECUTION OF JEWS.

MOTION FOR AN ADDRESS.

VISCOUNT STRATFORD DE REDCLIFFE rose to move that an humble Address be presented to Her Majesty, for Copies of any Correspondence which may have taken place between Her Majesty's Government and the Ottoman Porte, or the Hospodar of the Danubian Principalities, respecting Measures adopted by the Government of the latter for depriving the Jewish Residents in Moldavia of their Farms, and expelling many of them from the Country. It would be in their Lordships' recollection that the country which was the scene of the occurrences alluded to in the Motion of which he had given notice had been made an object of special care and benevolence by Her Majesty's Government and other Powers in alliance with Her Majesty. It appeared from information he had obtained that, in the Principality of Moldavia, a considerable proportion of the population had been from early times of the Jewish persuasion, and generally, with some occasional exceptions common to all parts of Europe, they had enjoyed tranquillity, and had been enabled to pursue their industrial avocations without annoyance. But a few weeks ago a sudden attack was made upon them, not only in consequence of religious prejudices on the part of the people, but also by a positive ordinance from the Home Department of the local Government. Many of the Jews had been considerable sufferers; they had made contracts, partly with the Government and partly with private persons, for the purpose of occupying farms, inns, and places of public reception, and they were in a condition to acquire property in various parts of the country. It would seem that this circumstance annoyed some classes of the population who had previously enjoyed a sort of monopoly in the management particularly of inns, and the Minister of the Home Department (M. Bratiano) issued an ordinance by which the Jews were dispossessed of their property and expelled from their holdings without any reason being given; and, at the same time, under the pretext that they were vagabonds, numbers of them were seized, put in fetters, and forcibly conveyed away by soldiers to be embarked on the Danube for transportation to some unknown land. Representations on behalf of the sufferers were made to the Emperor of the French, and that illustrious Sovereign expressed his sympathy with them, and engaged to send orders to his agent in Moldavia to make representations to the local Government, and to obtain all the redress he could. At the same time, representations were made to the English Government; and Lord Stanley, with his usual promptitude in attending to the public interests, wrote to the British Consul in Moldavia instructing them to apply to the local authorities for the purpose of obtaining relief for the unfortunate sufferers. In order to give their Lordships a more complete idea of the manner in which the Jews had been treated, he would read the translation he had made of a few sentences from a paper published in the Moldavian language in France, under the title of *Les Archives Israelites.* On the 22nd of May last that journal said—

> "Bratiano, Minister of the Home Department, ordains that all persons of our religion should be immediately expelled from their farms, inns, and ale-houses in the country, annulling by a stroke of his pen the contracts which the Israelite farmers have concluded either with the Government or with private persons. The same Minister has signalized his recent arrival at Jassy by a decree still more barbarous, ordering the police to rush in upon the Jews as so many vagabonds; and the police, acting under the Minister's own eyes, collect in the streets from day to day numerous masses of Jews, without any judicial control, without distinction of rank or age, and, brutally loading them with irons, cause them to be transported beyond the Danube."

Again, on the 25th of May the same journal said—

> "The state of things has grown worse. Nothing is heard in the streets but cries of distress from the wives and children of the poor transported victims. They continue to hunt us down. They fetter even the old and infirm, and without pity drag them towards some unknown place of banishment. It is in vain that we appeal to the authorities. We are outlawed, and the populace is excited for our extermination."

It was only natural that there should be some curiosity as to what had resulted from the intervention of France and of this country. All he could learn on the subject was that the public execution of the decree had not been persevered in, and although overt acts of oppression had—he would not say ceased—but had been suspended, secret persecution continued, and no redress appeared to have been given to those unhappy men who had been violently seized, chained, and transported. He presumed that the Jew was as much alive to the injuries of persecution as the very best Christian of us all, nor was difference of religion a circumstance calculated to make any change in the degree of sympathy which every one pretending to a grain of humanity ought to entertain for sufferers of this kind. On the contrary, he would say that in proportion as these people had been isolated and held up to reproach, and in proportion as persecution had been directed against them, they were entitled to our compassion and assistance. When a country had undertaken, as this had done, to procure for the people of another country institutions of a free and liberal character — when England had interfered to secure the Danubian Principalities from what was considered oppression at the hands of the Turkish authorities, it was highly irritating to see the Government of those Principalities—placed, as they were, under the protection of European benevolence—turning round upon a portion of its own subjects, whose only crime was difference of religion, and submitting them to the cruel treatment described in what he had read. Such a perversion of justice and duty must excite strong feelings of commiseration in favour of the Jews, strong feelings of indignation against the Government that could act in such a manner, and still stronger feelings of indignation against the Minister who could make himself the instrument of such persecution. He understood that M. Bratiano, the head of the Home Department in Moldavia, was a gentleman of extreme principles, verging on democracy—one who had not left himself without a witness in that respect; how then did it happen, being placed in a position of trust, he should act in a manner so wholly at variance with the principles he had professed? Such inconsistency could only be explained by a spirit of subserviency to popular prejudice and to the interests of a class. One would have thought that representations made by Powers such as France and England would have had some immediate effect; but he understood that M. Bratiano was still in office, and that the redress afforded to the sufferers, if any, had been very imperfect. It was therefore the more important for the country to know what was really taking place and to see the Correspondence, if any had passed, between Her Majesty's Government and that of the Principalities. It was surely a matter in respect of which their Lordships could not but feel a lively interest; and it was also a case upon which the other House of Parliament would naturally desire to express its opinion. He had no doubt that Her Majesty's Government had taken such steps as the circumstances required; but still it was desirable that Parliament should be made acquainted with the nature of those steps, and also with the footing on which they had left us, towards the Danubian and Turkish Governments. He wished to show by a quotation from the Treaty of 1858 in what position the Jews in the Principalities had been placed in virtue of that agreement. The words of the 45th Article of the Treaty were—

> "Les Moldaves et les Valaques seront tous égaux devant la loi, devant l'impôt, et également admissibles aux emplois publics dans l'une et dans l'autre Principauté. Leur liberté individuelle sera garantie. Personne ne pourra être exproprié que légalement, pour cause d'intérêt public, et moyennant indemnité."

Now the Jews were natives of the country, and, therefore, coming under the general denomination of Moldavians and Wallachians; they were entitled to the same rights in every respect as their Christian fellow-subjects. But a course the very reverse of that so justly marked out by the treaty had been adopted towards them. They had been deprived of their legal employments and driven from their farms for no reason but the jealousy of a class which had hitherto enjoyed a monopoly of those advantages, and was irritated by the new competition, which a Minister thirsting for popularity hastened to put down by a flagrant violation of law. There was another circumstance which he thought himself at liberty to notice, and which furnished an additional motive for desiring that the representations of Her Majesty's Government should be urged with seriousness and efficient vigour. It was this—Prince Charles, on becoming a candidate for the throne, had received such powerful support from M. Bratiano that he was naturally unwilling to treat that Minister with the degree of severity which his conduct to all appearance so richly deserved. If any additional reason were needed to explain why he wished this matter to be completely set at rest, it was that whenever Her Majesty's Government chose to interfere, even by way of exception, with the affairs of other countries, they incurred the obligation, and were bound by every consideration of humanity as well as of duty, to use their influence so that those who were placed in positions of authority under their sanction should be restrained from oppressing others by an unjust or illegal exercise of power.

Moved, That an humble Address be presented to Her Majesty for Copies of any Correspondence which may have taken place between Her Majesty's Government and the Ottoman Porte or the Hospodar of the Danubian Principalities respecting Measures adopted by the Government of the latter for depriving the Jewish Residents in Moldavia of their Farms and expelling many of them from the Country.—(*The Viscount Stratford de Redcliffe.*)

THE EARL OF DENBIGH expressed his strong disgust at the manner in which these unfortunate Jews appeared to have been treated. From all he had heard there was no adequate cause for the persecution to which they had been subjected; and, indeed, the only reason assigned was that the Jews, a very quiet and industrious part of the population, had been underselling the other inhabitants, and had thus brought upon them the jealousy and hostility of the middle classes. Under these circumstances, he thought Her Majesty's Government ought to exert all the influence it might have over the rulers of that country with the view of obtaining fair and just treatment for the Jewish population. Their Lordships would, he felt assured, agree with him that nothing could be more distressing at any time than persecution on religious grounds; and he trusted we were now entering upon a time when people of all religions would be allowed to worship the God of their own conscience without interference, and to have equal civil and political rights.

THE EARL OF MALMESBURY said, he was not astonished at the great interest taken by the noble Viscount (Viscount Stratford de Redcliffe) in the welfare of the inhabitants of a country with which he had been connected for so many years. At the same time it would not be desirable to discuss the matter to-night, because just previously to the noble Viscount's entering the House he had received Her Majesty's permission to lay upon the table the Papers for which the noble Viscount asked. Now, although he had no doubt that the statement of the noble Viscount was correct, as far as the persecution of these men was concerned, still it was an *ex parte* statement, and till their Lordships had read the Papers, which would be at once laid upon the table, they would hardly be able to judge fairly of the conduct of Her Majesty's Government, nor of the treatment to which the Jews had been subjected. The difficulty was that this question was entirely one of internal government; and it was generally allowed that we ought to interfere as little as possible in the internal affairs of foreign countries. He would, however, say no more at the present time, because their Lordships were not yet in a position to judge of the facts of the case. Of course, if the noble Viscount wished to bring the matter forward on a future occasion, he should be prepared to enter into the discussion of it.

VISCOUNT STRATFORD DE REDCLIFFE said, that after what had just fallen from the noble Earl he would withdraw his Motion, reserving liberty to himself to draw attention to the subject on a future occasion.

Motion (by Leave of the House) *withdrawn.*

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES — THE INSTRUCTIONS.—OBSERVATIONS.

EARL DE GREY rose to call attention to the Memorandum addressed to the Commanding Officers of Volunteers in regard to the Employment of Volunteers in aid of the Civil Power. He thought that after the discussion which took place on these Instructions in the House of Commons the other night, it would be unnecessary for him to trouble their Lordships at any length; he trusted, however, he should hear from the noble Earl the Under Secretary for War that it was the intention of Her Majesty's Government to modify the Circular, and to state distinctly that the Volunteers were not liable to be employed in aid of the civil power, except as far as they might, in common with the rest of Her Majesty's subjects, be called upon to act in their ordinary civil capacity for the maintenance of the public peace. He would ask their Lordships to consider whether the Circular clearly and distinctly laid down the principle which had been affirmed by the other House, and whether, on the contrary, it did not contain certain ambiguities of language which might be productive of great inconvenience in the future, and indeed create dissatisfaction among the Volunteer Corps? With respect to the first paragraph of the Circular there was very little to be said. It was simply a preamble, and the next three paragraphs laid down the principle that the Volunteers were not to be called out as a military body to repress civil disturbances, although they were not, by the mere fact of their being Volunteers, exempt from the liability which devolved on the rest of Her Majesty's subjects, in aiding and assisting in the repression of public disturbances. The fourth paragraph was couched in very ambiguous terms, and here he might point out that, in considering this Circular, it ought to be borne in mind that it was issued by the War Department, and signed by the noble Earl opposite and by the Secretary of State for War. Now, the War Department had nothing whatever to do with the Volunteers in their civil capacity, but only had dealings with them as far as they were a military body. Consequently, the Volunteers would naturally think that any directions given to them by the War Department had reference to their military capacity, and did not refer to them as ordinary subjects of Her Majesty. The Circular referred to cases of riot and disturbance which did not amount to insurrection; but would it not be very difficult for Volunteer officers, not learned in the law, to determine what riots and disturbances came within that definition? So far as he could understand from what had been said in the other House, the Government had simply laid down what ought to be the conduct of Her Majesty's subjects generally when called upon to suppress riots and disturbances. There was also an apparent discrepancy between the fifth and sixth paragraphs. The fifth paragraph referred to the class of disturbance, and laid down that Volunteers might act as special constables, and be armed with staves, but could not be called out as

Volunteers. The conclusion at which one would arrive was that in the cases contemplated by paragraph No. 6, Volunteers, not acting as a military body, might come out clothed, armed, and accoutred as Volunteers. Volunteers so coming out and acting would be under no regulations whatever; they would not be, as the law stands, acting under the Articles of War. If he was wrong, the noble Earl the Under Secretary for War would correct him; but he believed he was not wrong. They would not be even under the ordinary amount of discipline which Volunteers were subjected to when marching out. It appeared to him highly undesirable that the matter should be left in that way, if it should be the intention of the Government that they should act in cases of civil disturbances in the way in which persons totally disconnected with the Volunteers should do—as in fact the rest of Her Majesty's subjects should act if they were called upon to serve as special constables. If Her Majesty's Government had other intentions—if they thought the circumstances of the country required that they should have power to call out the Volunteers as Volunteers in the suppression of riots—he thought they ought to face the matter—they ought to ask Parliament to make the law what it would have been if the clause to which reference had before been made had been allowed to remain in the Bill, and take power to place the Volunteers under the Mutiny Act. Any set of men acting as special constables would be conducting themselves foolishly if they did not make use of any skill which they might possess in acting as a united body, even though it might result from military discipline—military discipline under the law the Volunteers could have none; but should those men be armed like soldiers, though not acting under military discipline, it appeared to him that the consequences might be very serious. Paragraph No. 9 went further than any of the preceding ones; for it laid down that the Volunteers might act in the emergency therein referred to without the call of the civil authorities. He believed that was the law, as far as it went, with respect to Her Majesty's regular troops; but what had been the practice for a long period? He did not know when it commenced, but the practice, as laid down in the Queen's Regulations, was that the troops never were to act in civil disturbances, except on the written order of a justice of the peace; and that they were never to fire except on the express directions of such an authority. Why was that laid down? No doubt because it was considered that disciplined men acting on such occasions were put to a great strain. If that were sound policy—as he believed it was—with respect to Her Majesty's troops, ought it not to be applied to any other body of disciplined and armed men? It appeared to him that the effect of paragraphs Nos. 6 and 9, if they were carried out, would be very objectionable to Her Majesty's subjects generally, and very invidious to the Volunteers. For what might happen? A rash body of Volunteers might rush out and act as they pleased without the command of any officer. Nothing could be more calculated to bring discredit and odium on the Volunteers, and to shake the confidence of the public in the Volunteer force. It seemed to him that the Government ought to adopt either of two courses. They might take the view adopted by Parliament in 1863, and which the House of Commons appeared to approve at present—namely, that the Volunteers should not in case of riot or disturbance act as Volunteers, but just as any of Her Majesty's subjects; or they might go beyond that, and in such cases place Volunteers under military discipline. He hoped the Government would re-consider the terms of the Circular with a view to its modification.

THE EARL OF LONGFORD said, that as he read the Circular, it appeared to him to convey clear and simple instructions, sufficient for the object. The Executive or the magistrates had no more power to call out the Volunteers for the suppression of riot than they had to call out the Members of the Army and Navy Club. The Circular stated that Volunteers, not as Volunteers, but as a portion of Her Majesty's subjects, could be required to serve as special constables, furnished with a staff, but not dressed in military uniform. Further on, it explained that in case of very serious riot, amounting to insurrection or revolt, the Volunteers might use arms to aid the civil power; but any other of Her Majesty's subjects might do the same thing, and the Volunteers in so acting would do so, not in any military character, but simply as citizens. Finally, they were authorized, in defence of their storehouses to act *vi et armis*. In 1863, the Government of the day, foreseeing, perhaps, some such occurrence as that which had taken place at Chester, inserted a clause in the Volunteer Bill which would have placed the Volunteers in a different position; but Parliament deliberately rejected that clause, and Her Majesty's Government, accepting the decision of Parliament, merely explain in this Circular the law as it now stands. They had no intention of taking upon themselves the duty of calling out the Volunteers in time of riot; nor did they propose that any power, such as that which would have been given to the Executive by the clause omitted from the Bill of 1863, should be conferred upon them. He might remind the House that the Queen's Regulations contained, in addition to military regulations, a publication of judicial opinions for the guidance of troops; and, in like manner, the Government in issuing this Circular had no intention of issuing elaborate instructions, but simply a few general rules for application in times of difficulty. It was said that the paragraphs of the recent Circular were vague and inconsistent. If they were, the fact showed how difficult it was to lay down rules to be acted on in cases of emergency. To issue in a general Circular precise directions applicable to every possible contingency was, he thought, beyond the ability of any Government. Another objection to the Circular was that its language was at variance with Rule 98 of the Volunteer Regulations, which prohibited an assembling of the force except for certain purposes. But that rule had reference to the ordinary state of affairs, and was quite inapplicable to any of these extraordinary circumstances to which strict regulations could not apply, and under which some one must assume responsibility, and act in defiance of general rules. He thought that the Circular was sufficient for its purpose; but if it should turn out that this was not the case, or should any inconvenience arise from it, the Secretary of State had announced his intention of having it re-considered with the view of seeing whether its terms could be made more satisfactory. The only object of the War Department was to benefit the public service, and to give assistance and guidance to the Volunteer force in the performance of its duties.

Earl RUSSELL must express his opinion that the Circular was open to all the objections which had been made to it by his noble Friend. He could not but think that it was very liable to be misunderstood by Volunteer officers, and might very much mislead them; and he thought the Government ought not to wait till some case of inconvenience arose before they corrected it. If the paragraphs to which objection had been taken were left out, there was every probability that commanders of Volunteer corps would be able to exercise a sounder judgment and discretion. The noble Earl (the Earl of Longford) had very truly said that it was impossible to foresee, and by the use of any language to provide for every contingency that might arise. It was wise, therefore, to refrain from making the attempt, and to confine the rules to cases with regard to which it was desirable to lay down rules plainly intelligible.

Earl COWPER said, that the Volunteer officers throughout the country would learn with something like dismay that the Government were still only considering whether they would maintain these rules or not. After what had passed in another place, the position of the Volunteers, he thought, was even more difficult than before the issue of these regulations, and must continue to be so until it should be officially made known whether the Instructions were to be modified or not. There could be no doubt that the orders, as they stood, were not popular; and the Government, if they listened to the opinion of the House and of the country, would immediately alter their terms. In the event of any disturbance arising before these were modified, the Volunteers would be placed in a very false position. The instructions were not only vague, but to the eye of the ordinary Volunteer they were absolutely contradictory. In one paragraph Volunteers were told that the civil power was not entitled to call them out, but further on they were informed that the civil authority might call upon Volunteers by every lawful means in their power to aid in suppressing a disturbance. Perplexing questions must also arise as to the meaning of "lawful means." They were not to use their arms, it seemed, but they might avail themselves of their military discipline and organization. Comparing paragraphs 5 and 6, it would be difficult for a simple Volunteer to distinguish when he might and when he might not appear in uniform; but if, in certain cases, Volunteers were entitled to avail themselves of their military skill, and there was at the same time no prohibition of their acting in uniform, it was difficult to discover what difference existed between their so acting as individuals, and acting as a military body. So in regard to the paragraph authorizing Volunteers to act on their own responsibility if the civil authority was not present or within reach—how far was a

Volunteer officer to send, and how long was he to wait for the civil authority before acting upon his own responsibility, and how was he to measure the extent of a serious disturbance? Under the Instruction the Volunteers might, even in the absence of their officers, make use of their arms, for who was to say what was and what was not a "dangerous" riot? There never was a riot yet in which parties upon the spot did not think that there was serious danger. Was it not the apparent danger that had been the excuse on occasions when lamentable excesses had been committed in suppressing insurrection? Was it not said that the parties "had lost their heads?" In giving instructions to Volunteers, he certainly thought great caution was necessary. The classes who joined the Volunteer Force were principally composed of men with an active turn of mind who wanted something to do, and desired nothing so much as an opportunity of showing their courage and their zeal. What they required was holding in and not urging on; and the danger was rather that they would do too much than too little. But, it might be said, cases could be imagined in which their interference would be absolutely necessary; riots such as those which took place at Bristol formerly might recur, or if the peculiar features of the outbreak at Chester were reproduced, and, with murder, and pillage going on in every direction, were the Volunteers to remain passive spectators? He answered at once that, under such circumstances, be the law what it might, the Volunteers were under no restraint from acting—they could be called upon with the rest of their fellow citizens, to restore law and order. But disturbances of this kind very rarely occurred. He knew the difficulty and delicacy of all proceedings requiring an Act of Indemnity at a latter period; but he believed the true language on this subject had been held by the noble Earl (the Earl of Carnarvon), whose honourable retirement from office inflicted a severe blow on the present Government when writing for the guidance of the West Indian colonists on the question of Martial Law. It might be said that it was unfair to throw on a magistrate or commanding officer the duty of determining at what point the law ought to be broken by the employment of Volunteers. But just as a soldier should not be deterred by the fear of wounds or even of death from doing his duty, so persons placed in a position of trust, ought to face the consequences of breaking the law in presence of a clear and overwhelming necessity. Save in these exceptional cases, however, the existence of the law was clearly for the benefit of society, and he therefore hoped Her Majesty's Government would consent to strike out from the instructions the objectionable paragraphs.

THE EARL OF DENBIGH said, that being himself a Volunteer officer, he concurred with every word just uttered by the noble Earl opposite (Earl de Grey) as to the difficulties likely to arise under these Instructions if insisted upon. Volunteers were apt rather to be over zealous than to hang back; and hence, if any riot appeared to be of a serious character, and a magistrate could not be found, they might have very painful scenes occasioned by Volunteers rushing to the front with arms in their hands and deciding for themselves whether the circumstances were such as to warrant their interference. If Volunteers were allowed to use their arms at all, it ought to be under the Mutiny Act, and then persons would know what they were doing.

VISCOUNT HALIFAX said, he hoped some definite answer would be given by Her Majesty's Government before the discussion closed. The mischief of this Circular was that it appeared to give authority to acts which, on the part of the War Office, were expressly disclaimed. It seemed to be thought that because the instructions were drawn up by the Law Officers of the Crown they must necessarily be clear and precise. But his experience, as First Lord of the Admiralty, had taught him that the Law Officers of the Crown were not always the best qualified for drawing instructions for the case of officers. Some years ago, when he was at the Admiralty, it was necessary to issue Instructions for the guidance of captains and commanders in the Navy, serving in the Baltic during the Russian war. He was furnished for that purpose with a document extending over five or six pages, drawn by the Queen's Advocate. The legal accuracy of the document he never for a moment questioned; but he knew it would be perfectly absurd to send out Instructions in that form, which would only have the effect of puzzling the naval officers. The result of the present Instructions must be, he feared, to puzzle Volunteer officers. A Volunteer officer at the time of a riot might think himself justified in acting with his men with a view to suppress the disturbance without the order of a magistrate. It had been authoritatively stated, in answer to a question as to whether a Volunteer might use Government arms in suppressing a riot, that he might use whatever arms were within his reach. If these Instructions were to be accepted as authoritative and acted on, a Volunteer officer and his men might be found acting with all the appearance and effect of a military force, though it was acknowledged and stated that they could not act as a military body. He hoped the War Department would withdraw the Circular as it stood, and issue another clearly stating what appeared to be the meaning of the Government—that is to say, that, although Volunteers could not be called out as a military force, they were not exempt from the responsibility of acting as ordinary subjects of Her Majesty; that they were not to act as a military body, but as citizens only.

THE EARL OF CARDIGAN thought there was nothing to prevent Volunteers suppressing riots as citizens, but that it must be with arms they happened to have at the time of the outbreak, not with arms supplied to them by the Government; nor should they be permitted to act as suppressors of riots in uniform.

THE EARL OF ELLENBOROUGH said, that the fault in the Circular of which their Lordships complained, seemed to him to be rather its bad English than its bad law. It would be a very serious matter indeed if the law were bad; but the difficulty seemed to lie in the fact that the Government had not clearly expressed what every one knew to be the law. A man might certainly read the Circular with an honest desire to act according to law, and yet be unable to do so from not understanding the authoritative exposition. He trusted, however, that it would be found that the civil magistrates would not be under any difficulty respecting what was the law of England relating to the suppression of disturbances. He certainly thought that the obscurity of the Instructions was not so great as had been represented; but he feared that the result of the discussions in that and the other House would be, not to enlighten the Volunteers as to their duty, but only to render them fearful, timid, and undecided in emergencies when the peace of the community was in danger.

THE EARL OF MALMESBURY said, that, on behalf of the Government, he could not consent to the request of the noble Viscount (Viscount Halifax) to withdraw the Circular; it was certainly not issued with any desire to puzzle Volunteers, and he did not think noble Lords opposite did justice to the intelligence of the Volunteers in thinking them incapable of understanding it. The Circular's unintelligibility had, in his opinion, been exaggerated; it might, possibly, have been better worded, and if the Government could mend it in this respect Ministers would not have the least objection to try and make it more clear. It should be remembered, when using the word "Volunteers," that a Volunteer was a Volunteer whether in uniform or not; it was only necessary to add that, whether a Volunteer or not, a man was obliged to act as a civilian when called upon by the civil power although not as a Volunteer. It was known, beyond all question and dispute, that a Volunteer could only be called upon in his military capacity to act against a foreign invader. This was the principle on which the Circular had been drawn up, and he believed it was perfectly clear in its terms, and that, it was generally understood, would appear from the fact that not a single official inquiry had been received at the War Office for information respecting its meaning. Of course there had been meetings and discussions about the matter; but that was the natural result of the issue of such a Circular; and the more there were of such discussions the better. But although the Government could not consent to withdraw the Circular, he had no doubt it would be made more clear.

LORD DE ROS said, that in the course of his life he had had considerable experience of riots; and, although the conduct of the military might have been called in question, there had never been any doubt felt as to what was the law on the subject; and he considered that the Circular very adequately explained it.

LORD OVERSTONE thought that unquestionably there were obscurities in the Circular which ought to be removed. He agreed with the noble Lord opposite (Viscount Halifax) that the effect of these discussions would be to increase the doubts of Volunteers who wanted to know how they ought to act under certain circumstances. He thought a safer guidance would be obtained by an authoritative decision as to the propriety or impropriety of the conduct of Volunteers in special cases. Every one knew what had happened at Chester, and he would have it stated by the Government whether what the Volunteers had done there was right or wrong. For instance, it had been said that the Volunteers saved the military stores at Chester; let it, then, be said whether their action in that respect was according to law, and if so, what was the principle on which they had acted?

Earl DE GREY said, that it was clear, from the fact that noble Lords on both sides of the House entertained doubts about the meaning of the Circular, that the language was to a certain extent ambiguous; and it was of the utmost importance that all such doubts should be removed. He trusted, therefore, that the matter would be re-considered, and that the Circular would be deprived of any unnecessary doubt or ambiguity.

The Earl of LONGFORD said, that his right hon. Friend the Secretary of State for War had already promised that the re-consideration to which the noble Earl referred should be given.

SALMON FISHERY (IRELAND) ACT AMENDMENT BILL.

(NO. 168.) SECOND READING.

(The Lord Cranworth).

Order of the Day for the Second Reading read.

Lord CRANWORTH, in moving that the Bill be now read the second time, said, that he had introduced the measure in consequence of a Petition which he had a few days previously presented to their Lordships. In that Petition the Petitioner stated that some years since he purchased a salmon fishery of the Encumbered Estates Court; but that, having failed to use it in the years 1861 and 1862, he found, when he was about to use his right of fishing with fixed nets in 1864, that by the Act of 1863 he was precluded from so doing. Not believing that any Act could have contemplated so unjust and retrospective an operation, he appealed to the Court of Queen's Bench, where the decision was confirmed, although its injustice was acknowledged. The Bill, to the second reading of which he now asked their Lordship's assent, provided a remedy for the clause by which so much injustice was committed—a clause against which, he might add, he had protested at the time it was originally before their Lordships' House—by providing that persons entitled to erect fixed nets might do so notwithstanding the provisions in the Act. The second clause of the Bill extended the time originally allowed for appealing against the decision of the Commissioners, and permitted those who had not appealed to do so, provided they made the appeal within six months after the passing of the present Bill; and the third clause allowed the re-hearing of cases decided by the Court of Queen's Bench against the appellants in consequence of this provision of the Act of 1863 in cases where the petition for re-hearing was presented within six months of the passing of this Bill.

Moved, "That the Bill be now read 2ª."—*(The Lord Cranworth.)*

Lord STANLEY of ALDERLEY said, that the benefit conferred upon the salmon fishery of Ireland by the Act of 1863 had been very great, and that he therefore trusted their Lordships would be careful how they interfered with the operation of that Act, and especially how far they opened a door to litigation of a serious character.

An Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—*(Lord Stanley of Alderley.)*

Lord HYLTON deprecated any interference with legislation, which, on the whole, had been beneficial in its results, in order to meet isolated cases. By so doing they might create a difficulty which would go far to destroy the benefits which had already resulted from the operation of the Act. The present Bill would entirely unsettle the law as settled by the Act of 1863.

Lord MEREDYTH was understood to say that the destruction of the weirs, in accordance with the provisions of the Act of 1863, had lead to a great increase of salmon, and now that the fish were more plentiful, certain gentlemen were very desirous of re-erecting weirs, which, from the former scarcity of salmon they had some few years since found to be of no value. He trusted their Lordships would not virtually repeal an Act that had operated so beneficially.

Viscount LIFFORD said, that the Act of 1842 had almost killed the goose that laid the golden eggs; but the Act of 1863, which restricted the right to fish with fixed nets to those who had so used them in their fishery in the seasons of 1861 and 1862, had done much to remedy the disastrous state of the fisheries. The gentleman who had sent the petition had failed to exercise the user required by this beneficial Statute, and had consequently lost his right, and now sought to repeal the beneficial provisions of the Act of 1863 in order to regain it. The Irish Fishery Commissioners reported that the produce of the salmon fisheries in Ireland had very largely increased in consequence of the Act of 1863. If this Bill were passed in its present shape, the appeals to the Queen's Bench would be endless, and the entire object of the Bill of 1863 would be lost. If, however, the noble and learned Lord would name some period for the exercise of these rights, and would exclude bag nets from the first clause, the measure might not be an unfair one to pass.

THE LORD CHANCELLOR deprecated a revival of the discussion of the Irish Salmon Fishery Bill. The noble Lord (Viscount Lifford) had gone back to the Act of 1842, by which certain rights were created and others confirmed. It had been argued that as Parliament could create rights so it could extinguish them; but that was a position he (the Lord Chancellor) utterly denied. He agreed that it was proper to put some limit to the exercise of these rights with regard to stake nets and bag nets; but, undoubtedly, where persons had not abandoned the use of their stake nets and bag nets before 1862, but accidentally, or for some personal reason, had not used them in that year, it did seem most unjust to say that these rights should be forfeited. The Bill proposed to put an end to that gross injustice, and, with some limitation upon the rights of parties, it would receive his support.

THE MARQUESS OF CLANRICARDE said, that wrong, injustice, and confiscation had taken place under the Act of 1863, and the Fishery Commissioners had been armed with arbitrary powers which ought not to be given to any set of men. He denied the accuracy of the statement made by the Fishery Commissioners with respect to the increased catch of salmon. Anglers might have found better sport, and at particular places the fishery might have improved; but his inquiries led to the conclusion that the additional supply of Irish salmon was inappreciable in the London market, while in Dublin the same prices ruled as in previous years.

After a few words in reply from Lord CRANWORTH,

On Question, That ("now") stand Part of the Motion? their Lordships *divided*:—Contents 29; Not-Contents 22: Majority 7.

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Resolved in the *Affirmative.*

Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House *Tomorrow.*

COURT OF CHANCERY (OFFICERS) BILL.—(*The Lord Chancellor.*)

(NO. 154.) COMMITTEE.

House in Committee (according to Order.)

Clause 1 (relating to appointment of additional Chief Clerks and Junior Clerks).

THE LORD CHANCELLOR moved a new proviso with reference to the filling up of vacancies in the offices of Chief Clerks and Junior Clerks, providing that the Lord Chancellor shall not fill such vacancies unless the number of Chief Clerks is reduced below two, and of Junior Clerks below four; except with the consent of three of the Chancery Judges.

Proviso *added* to the Bill.

After Clause 8—

LORD ROMILLY proposed to insert a new clause of a permissive and not a compulsory character in reference to the appointment of a number of Official Liquidators as Officers of the Court, and under a joint security. He was satisfied that if the plan were adopted it would be productive of great benefit. It would prevent contests between equally fit and competent men; and there was a precedent for it in a recent Act of Parliament, which sanctioned the appointment of Official Conveyancers. The Liquidators were to be paid, as hitherto, merely for the work done, just as the Conveyancers still were. By adopting the course he proposed, and appointing a list of men in large business and of high respectability, the Court could dispense with a great amount of the security it now demanded, and thereby diminish the costs charged on estates, and at the same time obtain a better collective security than it got at present. He would not, however, press the clause if the Lord Chancellor objected to it.

THE LORD CHANCELLOR said, he could not assent to the proposed clause, although he agreed that something ought to be done in reference to this matter. If ten or twelve Official Liquidators were appointed by the Court, or by the Lord Chancellor, no sufficient security could be taken from them for the delivery of the monies which passed through their hands, because the amount was so enormous. Then, again, under such a system, the Court would be held responsible in the event of any default on the part of the Liquidators, whereas now the parties elected their Official Liquidators, and had to take the consequences.

LORD ROMILLY said, that if there were nine or ten Official Liquidators they might all agree to give a joint and several bond.

Clause *negatived.*

Amendments made; the Report thereof to be received *To-morrow,* and Bill to be printed as amended. (No. 194.)

CASE OF THE "TORNADO."

QUESTION.

THE MARQUESS OF CLANRICARDE asked, Whether Her Majesty's Government have received a decisive answer as to the course the Spanish Government intended to pursue with respect to the *Tornado;* and whether a Tribunal has been specially constituted for the Trial of that Ship? It seemed to him high time that proper steps should be taken to obtain for the sailors and officers of the *Tornado* compensation for the hardships which they had been compelled to endure. The Papers laid before their Lordships showed that these men were captured in the vessel on the 20th of August last, and were grievously maltreated. Some of them were wounded, some were put in irons, and they were all very badly treated, being kept for weeks without any water for the purpose of ablution, and without any sort of comfort or even decency. They were subsequently put in prison at Cadiz, and questioned in such a manner that they were forced to give answers which they subsequently acknowledged to be false. It was only in consequence of the vigorous interference of Her Majesty's Government that they were eventually released. They had since applied to the Foreign Office for some compensation; but that had been refused on the ground that the trial of the ship must take place before any decision could be made upon their claims. That, he thought, was very hard upon these poor men. They had been wrongly kept in prison several months, and there certainly was no reason for liberating them in January or February which did not exist in the previous August. Then they were actually robbed of their money and of the tools which, to some of them, were necessary to carry on their trade, and had thus been deprived of the means of obtaining employment. According to the last Papers which had been presented on the subject, there was no chance of these men getting their claim allowed for a very considerable time. If it were true that the ship was really a Chilian ship and that the Spaniards were really entitled to seize her, these men would have a remedy against those who had put them on board what was falsely represented to be an English merchant ship. At present they were unable to get redress from either party. Was it not intolerable, he would ask, that English sailors should be treated in such a manner? Nothing could be more admirable than the reasoning of Lord Stanley throughout his despatch. What we had a right to insist on was that there should be a fair trial. The ship was captured under the exercise of belligerent rights; but what we said was that there should be a proper trial—a trial in whatever form the Spanish Government might please, but one which, in substance, must be in conformity with justice and with International Law. It had been stated in reply that the parties concerned should be tried. That language had been continued till the middle of May, but what was the fact? On the 8th of February, a decree was pronounced in the case of the *Alice Ward*—a case somewhat analogous to that of the *Tornado*—by which it was laid down that the judicial courts could not take cognizance of the affair. That decree had been recognized by the Spanish Government. Lord Stanley urged over and over that the case of the *Tornado* should be tried by a competent tribunal, and all that time the Spanish Government kept up the belief that it was to be treated judicially. Lord Stanley had allowed a great deal of correspondence to take place not on the question of a trial, but on the merits of the case. Unfortunately the noble Lord had strayed into that style of correspondence also, and a great deal of irrelevant matter had been introduced into what ought only to have been a discussion as to a trial. He was not asking too much when he insisted that British subjects should not be defrauded of their rights. If the tribunal to which the matter had been referred was incompetent, the Spanish Government were bound to give up the ship, and our Government should not lose a day in compelling them to do so or to take the consequences of a refusal.

The Earl of MALMESBURY: I think my noble Friend will agree that in the present state of the House he can hardly expect me to go into all the details of this question. The last accounts we have from the Spanish Government are dated, I think, the 20th of June, and have already been published. According to them the case is still before the Council of State of the Spanish Government and has proceeded no further. My noble Friend knows what is called *cosas d'Espana;* and he is well aware of the extreme difficulty of overcoming the passive resistance in which the Government of that country is so peculiarly clever. I need not remind my noble Friend of the great difference between the case of the *Victoria* and that of the *Tornado.* Without wishing to prejudge the case of the owners of the *Tornado*, they are not in as favourable a position as the owners of the *Victoria.* Nothing could have been more plain than the outrage done to the latter vessel. The Spaniards could not deny it. They at once admitted it. The only thing Her Majesty's Government can do in the present case of the *Tornado* is to accept the promises of the Spanish Government, that the case will be fairly tried. My noble Friend knows that the sailors have been released. The time may come, of course, when our patience, even measured by the experience we have had of Spanish cases, would be exhausted. For the present, I can assure the noble Marquess that my noble Friend the Secretary for Foreign Affairs does not lose sight of this matter. It is, as I have stated, only ten days since the last despatches were received from Spain.

The Marquess of CLANRICARDE hoped the Government had not agreed to accept any tribunal which the Spanish Government chose to nominate for the purpose.

The Earl of MALMESBURY said, the Government had not agreed to accept anything, because they did not know the propositions of the Spanish Government. The case was hung up.

TRUSTS (SCOTLAND) BILL [H.L.]

A Bill to facilitate the Administration of Trusts in Scotland—Was *presented* by The Lord Chancellor; read 1ª. (No. 195.)

House adjourned at a quarter before
Eight o'clock, till To-morrow,
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Monday, July 1, 1867.

MINUTES.]—Select Committee—On Ecclesiastical Titles and Roman Catholic Relief Acts, Mr. Paull *added;* on House of Commons Arrangements, Mr. Darby Griffith *added.*

Supply—*considered in Committee—Resolutions* [June 13] *considered.*

Committee—Representation of the People [79] [R.P.]

Third Reading—Vice Admiralty Courts Act Amendment * [155]; Statute Law Revision * [194]; Edinburgh Provisional Order Confirmation * [205]; Railways (Guards' and Passengers' Communication) [39], and *passed.*

SCOTLAND—COLLECTION OF FEES.

QUESTION.

Mr. WALDEGRAVE-LESLIE said, he would beg to ask the hon. Baronet the Member for Peebles-shire, Whether it is the intention of Her Majesty's Government to apply the provisions of the Act 29 & 30 *Vict.*, c. 76, as regards the collection of Fees by Stamps, to the General Registry House in Edinburgh, or whether a special Clause empowering the collection of Fees by Stamps will be inserted in the Writs Registration (Scotland) Bill?

Sir GRAHAM MONTGOMERY, in reply, said, there was no necessity to insert a Clause in the Bill, there being already full power to collect Fees by Stamps. Some correspondence was going on on the subject, the officials of the Register House in Edinburgh objecting to the proposed change, and it was under the consideration of the Secretary to the Treasury.

UNITED STATES—THE "ALABAMA" CLAIMS.—QUESTION.

Mr. BAXTER said, he would beg to ask the Secretary of State for Foreign Affairs, If any further progress has been made in the negotiations with the Government of the United States of America regarding the *Alabama* claims; and if the claims made by British subjects arising out of the late War exceed in amount those on the other side?

Lord STANLEY: I cannot say that we are making rapid progress in the *Alabama* negotiations; but, at the same time, nothing that has occurred leads me in any way to despair of those negotiations being brought to a satisfactory settlement. I may, perhaps, further state that, whether the correspondence be concluded or not, it is my intention before the close of the present Session to lay all the Papers on the subject upon the table, for I think that the House and the country are entitled to know what has been going on. With regard to the latter part of the Question, which relates to the amount of the claims of British subjects arising out of the late War, I am afraid that is a matter on which it is impossible for me to give any answer. Very many claims have been put forward; but many of them probably will not bear minute examination, and others would, no doubt, be considerably reduced in amount upon an inquiry, so that no approximate sum can be given. I believe, moreover, that many more large claims have not yet been brought forward, it having been well understood that, while the *Alabama* negotiations were pending, the American Government had declined to go into such claims. There may, therefore, be many with which I am unacquainted.

CRUELTIES IN THE PREPARATION OF VEAL.—QUESTION.

Mr. BAGWELL said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been drawn to statements in the public press relative to cruelties alleged to be practised in the preparation of veal; and whether, should the existing laws be insufficient, he will take such steps as he may consider necessary to prevent the continuance of such atrocities?

Mr. GATHORNE HARDY said, he had observed in the public papers statements to the effect that cruelties were practised in the preparation of veal, and, in consequence of these statements, he had directed inquiries to be made into the matter, but no case was actually brought before him. He was afraid that in many instances these cruelties had been practised. The Secretary for the Prevention of Cruelty to Animals had advertised for information on the subject, and they perhaps would be more fortunate than he was.

Mr. BAGWELL asked if the present law was sufficient for the purpose of punishing those guilty of the cruelties referred to?

Mr. GATHORNE HARDY said, any unnecessary torture of an animal was punishable by law.

INDIA—THE SIMLA COURT MARTIAL. QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for India, What is the exact sum which it is proposed to pay to Captain Jervis, in consequence of the decision of the Simla Court Martial; whether any order for the payment of that sum has been given; and, if so, by whose authority; and, from what fund the money to be paid to Captain Jervis is to be taken? He also wished to ask whether the Subsistence Fund had not hitherto been entirely devoted to providing soldiers with subsistence money on the way from the place where they were dismissed from the service to the place of destination, and had not been devoted to any other purpose?

Sir STAFFORD NORTHCOTE said, the sum proposed to be paid to Captain Jervis was £1,800. He did not agree that it was paid "in consequence of the decision of the Simla Court Martial;" it was a commutation of the subsistence sum which would be paid to that officer upon his removal from the army. The order had been made by the authority of the Secretary of State for India in Council, and the fund out of which it would be paid was that of the general revenues of India. Subsistence allowance was made in all cases in which officers were removed from the service, either for misconduct or for other reasons. He held in his hand a paper containing a list of some subsistence allowances which had been granted, the substance of which he would state to the House, suppressing the names of the Gentlemen who had received them. One officer of the Bengal army had been removed from the service on account of a gross abuse of official authority, and he had received a pension of £292; a second had been removed from the same army for falsehood and fraud, and had received an allowance of £50; another had been removed for drunkenness, and received £30; a fourth had been removed for fraud, and received £35; a fifth had been removed for the same reason, and received £20; a sixth had been removed for drunkenness, and received £50; and a seventh had been removed for embezzlement of the public money, and received £50. He had thought it desirable, although the question hardly pointed in that direction, to mention these cases for the information of the House. It appeared that it had uniformly been the practice of the Indian Government to grant a subsistence allowance to officers removed from the service, although they had been removed for offences of the character he had described. When the question was put to him by the Secretary of State for War what the Indian Government would do in the event of Captain Jervis's removal from the service, he (Sir Stafford Northcote) being then new to office, had naturally inquired what the practice had been, and he had been informed that it had been uniform to grant allowances, more or less, to all officers, according to the circumstances of the case. When, therefore, Captain Jervis was removed, some allowance was of course to be made to him. He believed that the highest allowance to which he would be entitled under that practice was £127 a year; and when it was represented to the Indian Government by the Commander-in-Chief and the Secretary of State for War that an officer of the Royal Army under such circumstances would be allowed to sell his commission, and that the value of that

commission would be about £1,800, the Indian Government ascertained that that was rather less than the maximum pension which they could give, and they therefore stated that they would be ready to grant that amount. He was not responsible for the practice that prevailed, but it did not appear to him that Captain Jervis's was a case in which there should be any deviation from it.

METROPOLIS—HYDE PARK REVIEW.

QUESTION.

Captain VIVIAN said, he would beg to ask the President of the Board of Works, What arrangements had been made for the accommodation of the Members of both Houses of Parliament and of the public to see the review in Hyde Park on the 5th of July; and, whether precautions would be taken to prevent the intrusion of unauthorized persons, and the confusion which took place at the last Volunteer Review?

Lord JOHN MANNERS said, that each Peer and Member of the House of Commons would have two tickets, which could be had on application in the one instance to the Lord Chancellor's Secretary, and in the other to the Secretary of the Speaker. Several Members had already applied for seats. Accommodation would be provided for the diplomatic body, foreigners of distinction, Her Majesty's Household, and the public departments. The public would have the remainder of the seats, and standing places for about 6,000 persons would be distributed to those who applied. The applications, however, were already so very numerous that great disappointment, he feared, must necessarily ensue. He believed that very considerable inconvenience was experienced at the last Volunteer review by the intrusion of unauthorized persons. He feared it would be difficult to guard against that altogether; but the authorization of the Board of Works would be placed upon the tickets, and precautions would be taken to prevent the admission of persons who had no right within the enclosure.

Lord ELCHO wished to know whether the words "officers in uniform," who were to be admitted to the stand, would be held to include officers of the Militia, the Volunteers, and the Yeomanry?

Sir JOHN PAKINGTON replied that all these officers would enjoy the privilege of admission to the enclosure if in uniform.

CIVIL SERVANTS' HALF-HOLIDAY.

QUESTION.

MR. O'REILLY said, he would beg to ask the Secretary to the Treasury, What steps had been taken by the heads of the several departments of the Civil Service, especially the Customs, Admiralty, War Office, and Inland Revenue, with regard to giving a half-holiday on Saturday to as many officers in their departments as possible, in pursuance of what was stated by the late Secretary to the Treasury to be the rule laid down—namely, "that it was left to the superior officers to arrange the question of holidays the best way they could, with the understanding that leave of absence on Saturdays should be given to as many as possible in each department?"

MR. HUNT said, the rule laid down by the late Secretary to the Treasury was still in force in the several departments in the Civil Service—namely, "that it was to be left to the superior officers to arrange the question of holidays the best way they could, with the understanding that leave of absence on Saturdays should be given to as many as possible in each department."

INSPECTION OF WEIGHTS AND MEASURES.—QUESTION.

MR. ALDERMAN LUSK said, he would beg to ask the Secretary of State for the Home Department, Whether any complaints have reached him relating to the present mode of inspecting Weights and Measures, and awarding half the penalties and all the costs to parties laying information, and otherwise enforcing the law; and whether magistrates before whom persons are charged with having in their possession "light or otherwise unjust" weights and measures are bound to convict such persons in cases where it shall be proved to the satisfaction of the such magistrates that no fraud or injustice was intended?

MR. GATHORNE HARDY said, that upon inquiry he found that no complaints had been made on the subject of the first part of the question. Upon the latter point, the law was that the magistrates were bound to convict persons having unjust weights and measures in their possession, and that it was not necessary there should be evidence that these weights and measures were wilfully or fraudulently in their possession. There was an appeal to the Quarter Sessions, who were able to mitigate the penalty to one-half if they thought proper.

LORD EUSTACE CECIL asked whether the right hon. Gentleman would, in accordance with the promise of his predecessor in office, introduce a measure upon the subject next Session.

MR. GATHORNE HARDY: The subject is under consideration. A Commission on Weights and Measures is now sitting, and the probability is that I shall introduce a measure early next Session.

REPRESENTATION OF THE PEOPLE BILL.—AREA OF THE NEW BOROUGHS.

QUESTION.

MR. GLADSTONE said, that a Return had been laid upon the table with regard to the new boroughs which did not include their area. This was most important, and he wished to know, Whether there would be any objection to include the area and the greatest distance between any two points in each of them?

THE CHANCELLOR OF THE EXCHEQUER said, he thought these particulars were inserted in the Return. He would take care they should be supplied.

PUBLIC BUSINESS—MORNING SITTINGS.

THE CHANCELLOR OF THE EXCHEQUER: I rise to move the Resolutions of which I have given notice relative to the Morning Sittings. The House will observe, from the Resolutions I have placed on the table, that I request the continuance of the privilege, if I may call it so, but I have proposed it in a limited and modified form. I have not asked the House absolutely to agree that the Tuesday and Friday Sittings shall commence at two o'clock and continue till seven, but I assume the possibility of such an event taking place, and I ask the House to agree to the conditions on which that privilege shall be exercised. I hope the House will agree to the Resolutions.

Moved, "That the Standing Orders (19th July, 1854 and 21st July, 1856), relative to the Morning Sittings be read and further suspended."—(*Mr. Chancellor of the Exchequer.*)

Standing Orders [19th July 1854 and 21st July 1856] relative to Morning Sittings read, and *further suspended.*

COLONEL FRENCH said, that some

more effectual steps ought to be taken to prevent attempts being made to count out the House when Irish questions were about to be discussed. He thought the Government ought to take some steps to secure a full House at the re-assembling at nine o'clock.

Mr. CRAWFORD said, he was sure he only gave expression to the general feeling of the House when he said he was unwilling that the present opportunity should be lost for securing the privileges of private Members against a contingency which was always liable to occur when the House met at nine o'clock after a morning sitting. In referring to what had taken place the other evening, he had no intention whatever of offering any criticism on the conduct of any hon. Gentleman. He merely wished to mention the fact that it was in the power of any hon. Member to avail himself of the earliest moment after the meeting of the House for procuring a count out. On the very first night of the new arrangement the Speaker had not actually taken his seat in the chair when an hon. Member moved that the House be counted. Similar attempts had since been made, and notably on Tuesday last, when the attempt would have been successful had it not been that accidentally he (Mr. Crawford) saw the hon. and gallant Gentleman the Secretary for the Treasury, who had completed his eliminating process, looking from behind the Speaker's chair. He (Mr. Crawford) thereupon called attention to the fact, and the right hon. Gentleman in the chair having included him in the number which he had already counted, the House was made. Owing to this fortunate circumstance several important Bills in the hands of private Members were advanced a stage. Private Members, who frequently had Motions to make on subjects in which their constituents were interested, ought to be fairly protected against such occurrences, an object which he thought might be accomplished by a simple expedient. With that view, he begged to propose the following addition to the third Resolution submitted by the Chancellor of the Exchequer :—

"And at the Evening Sitting, if notice be taken or if it appear on a division that before half-past nine o'clock forty Members are not present, the House shall not thereupon be adjourned, but the business shall be suspended for ten minutes, when Mr. Speaker shall again count the House."

Motion *agreed to.*

Colonel French

Then on the Motion of the Chancellor of the Exchequer it was—

Resolved, That, unless the House shall otherwise order, whenever the House shall meet at Two o'clock, during the present month, the House will proceed with Private Business, Petitions, Motions for unopposed Returns, and leave of absence to Members, giving Notices of Motions, Questions to Ministers, and such Orders of the Day as shall have been appointed for the Morning Sitting.

Resolved, That on such days, if the business be not sooner disposed of, the House will suspend its sitting at Seven o'clock ; and at ten minutes before Seven o'clock, unless the House shall otherwise order, Mr. Speaker shall adjourn the Debate on any business then under discussion, or the Chairman shall report Progress, as the case may be, and no opposed business shall then be proceeded with.

Motion made, and Question proposed,

"That when such business has not been disposed of at Seven o'clock, unless the House shall otherwise order, Mr. Speaker (or the Chairman, in case the House shall be in Committee,) do leave the Chair, and the House will resume its sitting at Nine o'clock, when the Orders of the Day not disposed of at the Morning Sitting, and any Motion which was under discussion at Ten minutes to seven o'clock, shall be set down in the Order Book after the other Orders of the Day."

Amendment proposed,

At the end of the Question, to add the words "and at the Evening Sitting, if notice be taken, or if it appear upon a division, before half past Nine o'clock, that Forty Members are not present, the House shall not thereupon be adjourned, but the business shall be suspended for ten minutes, when Mr. Speaker shall again count the House."—(*Mr. Crawford.*)

Mr. NEWDEGATE said, he thought the hon. Member for London had most appropriately interfered in order to secure that no further practical retrenchment on the time allotted to private Members should be made. He wished, however, to call the attention of the House to another circumstance. By the late arrangement the Government had a portion of every day in the week except Wednesday for the passing of the Reform Bill ; but one effect of this arrangement was, that, when the House met at nine o'clock, it almost always led to a very late sitting ; and not only were Members exhausted, not only was it very severe on the officials of the House, but there was this circumstance connected with these late sittings, that it was physically impossible that the public could be regularly informed of the proceedings of the House at a very late hour with the same accuracy, as they were informed of them during the earlier part of the sitting. If there were no means by which that information could reach the public, nor would they be in the same position in which the House of Commons was placed in formerly, when the reporting of the debates had not reached its present perfection. The public formerly knew little of the progress of business in that House; now they supposed that they knew everything, but as to late debates they frequently knew nothing. It was not fair to the Members of that House, that it should not be understood that although the public were informed of the proceedings of that House up to half past twelve o'clock with extraordinary accuracy, yet that after that hour, whatever business was taken must be proceeded with without the public being informed of what was said by hon. Members. He thought that the late Mr. Brotherton did a good service to the House and the country when he insisted practically, that no contested business should be taken after twelve o'clock. If they were to have both Morning and Evening Sittings during the dog days, and sit late also, he hoped that some such rule as that would be adopted.

MR. BRIGHT: I rise for the purpose of supporting the proposition of the hon. Member for the City of London; and at the same time I wish to say that I think the complaint made by the hon. and gallant Member for Roscommon is a very reasonable and well-founded complaint. Now, I put it to English Members of the House in this way. The Irish Members, if they were all here, would be 105 in number. Now, it is too hard to expect that they, on a question of Irish business should make a House, or, in other words, that forty out of 105 Members should be present. The other night the subject of the delay in introducing the Irish Reform Bill was brought forward by the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue). That was a very proper subject for the right hon. Gentleman to bring before the House; and the Chancellor of the Exchequer, whose conduct was called in question, will, I am sure, be the last to complain of the discussion which took place, or of the reasonableness of that discussion. Well, I think I was almost the only English Member in the House when it met at nine o'clock — [Lord HOTHAM: No, no!]—I say "almost."—the noble Lord, I believe, was in his place; but I was almost the only one, and I think the only one on this side of the House. Now, we must bear in mind that these 105 gentlemen come here to join a body of 550. They have their own questions just as important to them, and in fact, as important to us, really, as any other questions that come before the House; and I think it was not a very handsome proceeding on the part of the hon. Member for Colchester, seeing that an Irish question was about to be brought on, and that Irish Members were almost exclusively in the House, immediately on the Speaker taking the chair, to move that the House be counted. I should be very sorry indeed if anything of the kind should take place again. I am quite sure it would be calculated to create an unpleasant feeling in the minds of Irish Members and in the minds of the Irish people if they should come to know how these proceedings are managed in the House. The Amendment which the hon. Member for the City of London has moved appears likely to prevent the recurrence of similar events in the course of the deliberations of the House, and I should be very glad indeed to see it adopted. The House of Commons is, after all, a very clumsy instrument of legislation, the matters which come before us are far more numerous every session than we can possibly get through, and I think it is a grievous injustice to the House, and a wrong to the country, that any Member should interpose any unnecessary obstacle in the way of its proceedings.

GENERAL PEEL said he was of opinion that the only effect of adopting the proposal of the hon. Member for the City of London would be that no hon. Member would come down to the House until half-past nine o'clock. He should like to know whether in the event of a division being taken between nine and half past nine o'clock, and its being found that there were not forty Members present, the division was to be taken again at the expiration of ten minutes.

LORD DUNKELLIN said, that while he was ready to admit that a "count out" was sometimes attended with a great deal of annoyance to hon. Members who had business before the House in the progress of which they were interested, he doubted whether it would be well, because of a few isolated instances in which its progress was thus retarded, to alter a rule which was of long standing and which appeared on the whole to have answered extremely well. The suggestion of the hon. Member practically amounted to fixing the hour for the commencement of Evening Sittings at half-past nine o'clock, and it would, in his opinion, be better to adhere to the usual practice. It sometimes happened even on Government nights, that the House was counted out, so that the grievance did not apply solely to the cases of private Members.

CAPTAIN VIVIAN said, he feared that the practical effect of the proposal of his hon. Friend (Mr. Crawford) would be simply to postpone the Evening Sitting for a quarter of an hour later. As a private Member he must, however, say that while the proposal of the Chancellor operated very advantageously in a special emergency, such as that of the discussion of a Reform Bill, it was one which, so far as he could see, it would not be desirable to be permanently adopted by the House of Commons; for it no doubt interfered very materially with the position of independent Members. So far as the right hon. Gentleman himself was concerned, he never knew any leader of the House to display greater courtesy or consideration towards private Members, and he was always in his place when the House re-assembled; but he, at the same time, trusted that the present system of Morning Sittings would not be extended for a longer period than was absolutely necessary.

THE CHANCELLOR OF THE EXCHEQUER said, he was always very much opposed to the system of counting out. He did not indeed recollect that he had ever privately sanctioned any experiment of that kind. It was, in his opinion, a system which tended very much to break up the course of Parliamentary life, and even upon the most ordinary occasions some evil consequences in the progress of business had resulted from the exercise of the privilege. The hon. and gallant Gentleman who had just spoken did him, he believed, no more than justice when he said that he was always in his place at nine o'clock at the Evening Sittings, and he must say that the "counts out" which took place at a late hour of the night were not the result of the re-assembling of the House at nine, though he was by no means prepared to contend that the present arrangement was not one which, if persisted in, might interfere with the legitimate claims of private Members. That being so, it might not be desirable that the arrangement should be converted into a general rule, although, as the matter had been referred to, he must express his opinion that neither was the circumstance of the House sitting to a late hour of the night the result of its meeting after the Morning Sitting at nine o'clock. To show that he was justified in taking that view he might mention that he found from a Return which had been prepared by a friend of his for the years 1859 and 1860—in the former of which years a Reform Bill was introduced, and the latter of which was one of the hardest-working Sessions through which the House of Commons had perhaps ever sat—a greater number of Morning Sittings commencing at twelve o'clock being held in both years than in any other two which he could recollect—that although there were a great many counts out during the time there were later sittings in the evening than in any two years which he could name, the House sitting, on average, in 1860 until two o'clock in the morning, in several instances until a quarter to three, and on one occasion until a quarter to four. There was in that year a great deal of business; and he mentioned the circumstance to show that any similar inconveniences we now experience ought not to be attributed to the altered arrangements with reference to the sitting of the House. If, however, there was any infringement—and he did not deny that there was some—of the privileges of independent Members in the practice, he thought there would be a very fair objection to the habitual meeting of the House at nine o'clock for Evening Sittings. He would, at the same time, beg hon. Members to observe that he was asking them to adopt the system only for a limited period, and even under modified conditions, and the Government would certainly not avail themselves of it unless it met with the general if not the unanimous acceptance of the House. Under these circumstances, he hoped the House would hesitate before it interfered with a rule of such ancient date, and, as many might think, of such utility as that relating to "counts out." It often operated no doubt very inconveniently, and he himself very much objected to the practice; but still it was very desirable strictly to uphold a rule which indicated the necessity of a quorum being present in the House in the transaction of public business. Instead of doing away with such a rule he would prefer appealing to the good feeling of hon. Members in general to attend in their places. He knew that such appeals were not unusual from invidual Members to their friends when any business in which they were interested happened to be coming on, and it would be better, he thought, seeing that the present arrangement was only for a limited time, that it should be adopted as proposed by the Government than that a practice which had existed from time to time immemorial should be hastily terminated; and which, although many might object to it, was still connected with the maintenance of a quorum, without whose presence the public business could not be satisfactorily conducted.

Mr. GLADSTONE said, he must remind hon. Gentlemen that the number of successful attempts at a "count out" in the present Session was singularly small, and he hoped his hon. Friend who had proposed the Amendment would take that circumstance into consideration. As to the arrangement suggested by the Government to facilitate the progress of business, whatever might be its character, the right hon. Gentleman the Chancellor of the Exchequer was entitled to the exclusive credit of originality which belonged to its author. As it now worked he might add it was open to the objection which the hon. Member for North Warwickshire had pointed out—that was to say, it tended to protract the Evening Sittings to an hour inconveniently late. The hon. Gentleman, however, in noticing the objections, referred also to the remedy which was to be found in reverting to that which, although, never a positive and formal rule of the House, became during the lifetime of the late Mr. Brotherton matter of general understanding—that after a certain hour contested business should not be proceeded with. The right hon. Gentleman the Chancellor of the Exchequer had spoken with great modesty of his own plan; but he was anxious that, while it was that evening discussed only as a temporary plan, the House should not hastily come to the conclusion that it was not to assume a more permanent shape, for to him it appeared a point well worthy of consideration whether if they were to have Morning Sittings, there could be any better arrangement arrived at, than that which at present prevailed. Every man was of course the best judge of his own convenience; but he, for one, was of opinion that it was impossible to fix upon two hours when the remission of the labours of the House was more useless than the two hours between four and six o'clock, whereas the hours between seven and nine were of great value, for a very essential purpose. The existing arrangement might, no doubt, interfere unduly with the privileges of private Members, and two points, entirely distinct, were to be borne in mind in dealing with the question—first, the best means of enabling the House to get through the greatest aggregate amount of business with the smallest general inconvenience, and secondly, the question as to how the time allotted for the purpose might most satisfactorily be divided between private Members and the Government. Some modification of the Government plan might be found expedient, with a view to secure more completely those two objects; but he, at all events, hoped that the existing arrangement would not be looked upon as one merely for the day, to be entirely abandoned when the immediate purposes for which it had been entered into had been served.

Mr. CRAWFORD said, he should not press his Amendment unless he found it was the wish of the House that he should do so.

Question, "That those words be there added," put, and *negatived.*

Main Question put, and *agreed to.*

Resolved, That when such business has not been disposed of at Seven o'clock, unless the House shall otherwise order, Mr. Speaker (or the Chairman, in case the House shall be in Committee,) do leave the Chair, and the House will resume its sitting at Nine o'clock, when the Orders of the Day not disposed of at the Morning Sitting, and any Motion which was under discussion at Ten minutes to Seven o'clock, shall be set down in the Order Book after the other Orders of the Day.

Resolved, That whenever the House shall be in Committee at Seven o'clock, the Chairman do report Progress when the House resumes it sitting.—(*Mr. Chancellor of the Exchequer.*)

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JUNE 28.]

Bill *considered* in Committee.

(In the Committee.)

Colonel DYOTT moved a new Clause (Freeholders, Copyholders or Leaseholders, within Parliamentary Boroughs, or residing within seven miles thereof, to Vote for such Boroughs).

Mr. DENMAN said, he rose to make a statement to the House respecting what had occurred on Friday, and he was anxious to refer to the subject at once, because what he had said had been much misunderstood. An impression appeared to have prevailed that he had entered into some understanding with the House that the hon. and learned Member for Southwark (Mr. Locke) and himself should draw up a clause, and, relieving the Government altogether from action in the matter that either he or his hon. and learned Friend should propose the clause to the House: but the arrangement he proposed was quite of another nature. He proposed that his hon. and learned Friend should prepare a clause and should submit it to him, and that, if they could agree upon it, they should submit it to the Attorney General. ["No, no!"] If any Gentleman denied that, he misunderstood what had passed. But when he (Mr. Denman) made that proposition the Attorney General did nothing but shake his head; and therefore it could not be supposed that he (Mr. Denman) stood pledged to the bringing up of a clause. He held that the Government were still bound to bring up a clause to make sense of the words inserted in the 3rd section; and, as far as he was concerned, he should not absolve the Government from their promise.

The CHANCELLOR of the EXCHEQUER said, it was quite evident that the hon. and learned Gentleman had been trying his hand at a new clause; and if the Government were to be absolved from their duties by the hon. and learned Gentleman's success in that attempt, he certainly should not be too sanguine of the result. He felt confident that the Committee would come to some very safe and sound conclusion upon the controverted question of the other day, but he regretted that they could not now trust for its solution to the hon. and learned Gentleman.

Mr. DENMAN said, he would now give notice that he would to morrow ask the Chancellor of the Exchequer, whether it was the intention of the Government to bring up a new clause defining the mode in which rates were to be demanded, in accordance with Clause 3 of the Bill, and if so, when the clause would appear on the Notice Paper?

Lord DUNKELLIN said, he would suggest that in this matter they should follow the course which the House usually adopted. A clause intended to embody the views of the hon. and learned Gentleman was proposed, fully discussed, and negatived, and under these circumstances he thought the subject ought to be dropped.

Mr. BAXTER said, he rose to make an appeal to the hon. and gallant Gentleman (Colonel Dyott), and to those other hon. Members who had given notice of new clauses. He was one of those who last week voted with the Government against the proposition to extend to copyholders and leaseholders, having property in towns, the right of voting for the counties, and he did so because it appeared to him utterly unsound and unjust in principle, that property in boroughs should give county votes; but he was also glad of a favourable opportunity of giving his support to the great democratic party opposite. But it was one thing to refuse to extend a principle which they conscientiously believed to be unsound, and another to deprive a vast number of voters of a privilege which they had possessed for centuries, and had exercised on the whole to the advantage of the country. He appreciated this great measure of enfranchisement so much that he should give no vote this Session which would impede its progress; but if debates were to arise upon every theoretic point which hon. Gentlemen were anxious to bring forward in the form of additional clauses, there would scarcely be any chance, now that they had arrived at the first of July, of passing this great measure of Reform during the present Session. He appealed therefore to hon. Members to withdraw their clauses and allow the Committee to go at once to the Schedules. The proposition now before the Committee was one of those which proved fatal to the Bill of 1859, and he thought the Government had acted prudently in omitting it from the present Bill.

Colonel DYOTT said, he wished to assure the hon. Member for Montrose that he had submitted the clause to the Committee in the full belief that it would greatly improve the borough register without doing the smallest injustice to the county voters. The county representation would be as perfect as it was now, by reason of the vast number of small occupiers which would be placed on the county register. He should, however, be guided entirely by the feelings of the Committee, although he had a strong opinion that his proposition was a movement in the right direction.

Mr. NEWDEGATE said, it was quite natural that the hon. and gallant Gentleman should wish to do everything for the benefit of those whom he represented, but this proposition applied not only to freeholders in the boroughs, but to freeholders within seven miles of the boundaries. While preserving the general principles of the constitution, provision should be made for such enfranchisement of persons and localities as their advancement in importance and intelligence might require. Resident freeholders in Bristol voted for the city, and that was the only exception to the general rule that the freeholder voted for the county, while the occupier voted for the city or borough. It seemed to him that, by the present proposal, they were coming back to the principle of the Bill of 1859, which was contrary to the general system of representation which had existed for centuries in this country. It was common for Members to give so much attention to anomalies in the representation that they forgot there was any principle in it. The principle of the English representative constitution was that the property franchise was the county franchise; for property worth 40*s.* annually enfranchised a man, though in no wise connected residence. He was gratified to hear with the hon. Member for Westminster (Mr. Stuart Mill) vindicate his character for ability when he descanted on this topic; but he could not concur with the hon. Member in his advocacy the other day of Mr. Hare's plan for the representation of minorities, because such representation really existed at the present moment in the county franchise, which was the most ancient form of electoral franchise in this country. It was a franchise based on property for the protection of property; and its existence was one of the reasons why real property had been held so much more safely in England than in any other country; but more than that, it produced in the Legislature a respect for property which had been the principal cause of the soundness of our credit, which again led to the growth of our trade and commerce. The borough franchises were additional privileges given to certain places in order that industry, manufacture, and commerce might be represented in Parliament; but afterwards other causes stepped in, and sovereigns found it expedient for the purpose of levying taxes to enfranchise particular localities, upon the good-will of the inhabitants of which they had reason to place reliance. He believed that upon this principle of double representation had rested the security, strength, and advantage of our free institutions. England had never been represented by a system of equal franchise conferred upon every one; but there had been a double system of representation, and he was convinced that it would be most dangerous to depart from that plan. The most ancient principle of the representation of the country was struck at by this proposition. If the Committee sanctioned this proposal they would give up the ancient principle of the representative constitution. It was true that the Chandos clause modified the exclusively property character of the county electoral qualification; but the connection between schedules A and B of the Property and Income Tax—the revenue under both schedules being levied upon the same rental though in different proportions—showed that the enfranchisement under the Chandos clause was only a development of the ancient property qualification. The city and borough electoral system grew with the early establishment of trade and manufacture, but the privilege was conferred afterwards for other purposes. The sovereigns of this country created boroughs originally to strengthen their authority against ecclesiastical encroachment, and against the power of the aristocracy; and after the separation of the upper and lower branches of the legislature, when the lower branch asserted a separate existence, the progress of trade and commerce showed the necessity for an enlargement of the freedom. In the earlier days of the system, the sovereigns selected localities for enfranchisement, frequently on account of the favourable disposition of the inhabitants, and conferred the management of the direct electoral power on those persons who were most serviceable in the collection of revenue and payment of taxes. The borough electoral system showed a local, a special franchise, based upon special connection with the locality, and upon residence—it was a strictly local franchise and electoral system. He believed it to be essential that the marked characteristics, the positive differences, the actual distinctions, between the county and the borough franchises and electoral systems should be preserved, and that it would be a most perilous policy to depart from this fundamental character of our representation. He was convinced that the further the present proposition was examined, thought it would be evident that the hon. and gallant Gentleman was seeking to do his duty to his constituents, the more would it be plain that the effect of his proposal would be to break up the old system of electoral representation by which the rights of the various classes had been preserved.

Mr. HOWARD said, that it would be very unfortunate if they added, by the adoption of this Motion, to the feeling of injustice that already existed, owing to the difference between the constituencies in counties and boroughs, and hoped the hon. and gallant Gentleman would not press the Motion to a division. He believed the Chancellor of the Exchequer would not support it; for he believed the right hon. Gentleman would not consent to the addition of a clause which carried with it the taint of disfranchisement, as it would deprive a large class of persons of votes, who had hitherto exercised them with propriety.

Mr. SCOURFIELD said, that more cases than that of Bristol might be quoted where the freeholders voted in the towns, the practice prevailing also in Exeter, Norwich, and Nottingham. There was on the paper a notice of Motion that the privilege of voting for the City of London should be extended to persons who resided within twenty-five miles; and no doubt there were many persons holding property in the City, and living a good many miles out of it, who had a far greater interest in the City than those who slept within it for a certain number of nights in the year.

Mr. GILPIN said, it was entirely incorrect to suppose that there were comparatively few freeholders residing within the limits of boroughs. He believed that they were numbered by tens of thousands, and that there was amongst them a very large proportion of freeholders holding small properties. The proposal, if carried, would therefore amount to a wholesale disfranchisement.

Mr. DARBY GRIFFITH said, that the proposition, instead of disfranchising the borough freeholders, would merely transfer their votes from the counties to the boroughs. The measure proposed to transfer the votes in respect of land, not geographically situated in the county, from the county to the boroughs within which the land was geographically situated. Hon. Gentlemen opposite appeared to have lost their usual desire for innovation and improvement, and as they objected to this proposition for some reason or another, they sought to put it aside by misstating the case. He thought the hon. Gentleman who last spoke had entirely failed to understand the meaning of the Amendment.

Mr. GILPIN said, he wished to explain to the Committee that what he had intended to say was that the borough freeholders would be deprived of their county vote by the adoption of the proposition of the hon. Member.

Mr. BRIGHT said, the hon. Member for Devizes was evidently under a mistake as to the effect of the proposition. It was quite clear that these persons who now had borough votes by reason of occupation, and also county votes by reason of the possession of property within the borough; if they lived within seven miles would have their county vote destroyed, and would be allowed in future only to give a borough vote. Of the number of such persons there was no return, but it must be considerable. But he would ask the Committee whether there could be anything more unfavourable to the future well-working of the House of Commons than these attempts to draw a distinct line between persons who lived in boroughs and persons who lived in counties? If they had all the borough Members, or the great bulk of them, on one side, and all the county Members, or the great bulk of them, on the other, they would have contests in that House in which there would be no party to afford any moderating influence, and he believed the character and services of the House of Commons would be greatly diminished to the country. In 1859 this question—not entirely the question now before the Committee, for it was only a part of it, arose; but still all the arguments he believed that could be used against the proposition of 1859 were equally available against the present proposition. He could not for a moment believe that the Chancellor of the Exchequer or his Colleagues would give any sanction to it; and if they should adopt the proposal he was quite sure that friendly disposition which was felt by a great portion of both sides of the House towards the progress of the Bill would be greatly interfered with, and much of that which was now taking place so advantageously would be thwarted, and that many hon. Members would be driven into a course of opposition which they would be most reluctant to assume.

Mr. BERESFORD HOPE said, the hon. Member for Birmingham's argument would be more cogent if he were consistent, but that he must recollect that, by the Bill, the man who rented a house in a borough of the rateable value of £12 and upwards was a borough voter and not a county voter. If, therefore, there would be, as contended, any hardship in depriving the town freeholder of a county vote, equally would there be an inconsistency in shutting out under the new franchise many freeholder inhabitants of their own houses, within our boroughs from any share in the county constituency. He confessed that therein, differing from many of his hon. Friends, he did not see any advantage, but much the reverse, in retaining these large rural districts dubbed with the name of boroughs. But if they were to keep these large rural boroughs, at least let them represent the property and intelligence of the inhabitants. As it was they would be large areas, having hardly the slightest urban character about them, with constituencies composed of the lowest class of peasant householders, absolute agricultural labourers, while every freeholder of the district, from the yeoman who held his two or three acres to the proprietor of thousands, would be destitute of the local franchise and remanded to the county. In fact, the representation would be handed over to the ignorance and the poverty of the district, and the wealth and intelligence would be shut out. It was impossible for so anomalous and mischievous a condition of matters long to exist, and he would therefore vote for the Motion of the hon. and gallant Member which offered some redress.

Mr. Alderman LAWRENCE said, he considered that the proposition was an attempt to deprive the borough freeholders of their county vote, and he trusted it would not meet with the support of Her Majesty's Government.

Mr. VANCE said, he preferred to call the clause an enfranchising and not a disfranchising one; for a freeholder in a town in the ordinary way had much more interest in a borough than in the county, and would infinitely prefer having a freehold vote for the borough than for the county. From his own experience he could vouch that this feeling prevailed in Dublin.

Mr. GLADSTONE said, he was unwilling to stand in the way of the Chancellor of the Exchequer, because the proposition before the Committee was one which, if further entertained, might lead to very troublesome consequences, and he was in hopes that what might fall from that right hon. Gentleman would put a stop to the discussion. The hon. Member who had just sat down had called the proposition before the Committee an enfranchising measure; would the hon. Gentleman inform the Committee how he had arrived at that conclusion, especially as regarded a class of cases exceedingly numerous, where an individual had a vote for the borough in respect of occupation, and a second vote for the county in respect of his freehold which he did not occupy? If the proposition before the Committee were adopted, a person in such a position would lose his vote for the county, and would gain no additional vote for the borough beyond that which he held already, and if such were not a disfranchising measure, he was at a loss to know what could be termed one. In point of fact, both the hon. Member for Devizes and the hon. Member for Dublin must now vote in opposition to the proposal—[Mr. Darby Griffith made a gesture of dissent]—seeing that they had been labouring under a total misapprehension as to what would be the effect of the measure. He ventured to assert that this was a partial reproduction of the proposal of Her Majesty's Government in 1859, which was, in a great measure, unacceptable to both sides of the House. As the Chancellor of the Exchequer appeared to be somewhat sceptical upon that point, he would venture to remind him that amongst those who then opposed the disfranchisement of the small freeholders, were Mr. Sturt, Mr. Ker Seymer, Mr. Scourfield, Mr. Dutton, Mr. Stuart Wortley, Mr. Beaumont, Lord Elcho, Colonel Smythe, Lord Adolphus Vane, Mr. Palmer, Mr. Du Cane, Mr. Milnes Gaskell, and Mr. Edward Egerton, all of whom had expressed themselves in opposition to the principle involved in the clause, and he believed the right hon. Member for Oxfordshire had spoken in the same sense. This appeared to him to be a proposition that very strictly deserved the character of an innovating measure, without conducing in any way to any improvement. They had already taken considerable steps towards the assimilation of the franchises of county and town, and he believed that, with a uniform franchise, or with any other, the representative system of this country would maintain its main features; but he saw no reason for departing from the distinction which prevailed in the general character of the two franchises. The hon. and gallant Gentleman proposed an alteration of an important feature in our Constitution, without alleging any such grounds as ought to induce the Committee to move in that direction. The county franchise is a mixed one, but the right hon. Gentleman invited them to go a step further and mix tenure with freehold in the boroughs. Independently of the positive disfranchisement, the very fact of taking from a man a county vote and giving him a borough vote would be regarded as a sort of disfranchisement. For what reason he knew not, but a man who had a county vote and a borough vote preferred the county vote, and he would not accept as satisfactory the answer that he had a borough vote instead of his county vote. Beyond this there were many cases in which they would give no vote at all in lieu of the vote taken away. The proposal was, in a measure, one of disfranchisement, and one to which it would be impossible for the Committee to consent.

Mr. DARBY GRIFFITH said, that he was quite right in saying that, in principle, this clause would have no disfranchising effect, for the principle, was to transfer freehold votes from counties to boroughs. The right hon. Gentleman's opinion was not founded upon the principle of the clause, but upon the deductions which he drew from its operation; it was a misnomer therefore to say that the proposition itself was a disfranchising one. The right hon. Gentleman argued that it would have a disfranchising effect in certain cases, but it would have a contrary effect in others.

The CHANCELLOR of the EXCHEQUER said, that he had no doubt that a great deal might be said on both sides of the question then before them; and that there might be a very protracted debate upon it. He thought that his hon. and gallant Friend had brought forward the clause with great ability, and had stated all the points that could be urged in its favour. He would not enter into the question, but would merely say that it was one which had engaged the grave attention of Her Majesty's Government, and after full consideration they had resolved that it was not expedient to introduce this provision, or any one of an analogous nature. It was not, therefore, in the power of the Government to support the motion of his hon. and gallant Friend.

Clause *negatived.*

Mr. NEATE said, that, in submitting the proposition of which he had give notice, he anticipated that the clause might be objected to on the ground that it would have the effect of sweeping away a venerable franchise, and he admitted that it would have that effect; but the franchise in question—namely, that derived from a rent-charge, had altogether changed its character since it was first created. On such an occasion as the present, when they were reviewing the field of the Constitution and extending its boundaries, franchises which had ceased to answer their original purpose should be uprooted as noxious weeds. In the feudal times rent-charges were as much a part of an estate as the land out of which they arose, and involved the obligation of attending the County Court, taking part in elections, and contributing to the expenses of knights of the shire; but nothing of their original character now remained, and they were simply annuities, giving their holders no interest in the county, nor even in the land itself, beyond its producing the 40*s.* per annum. If an annuity of 40*s.* was a fair title to a county vote, £80 a year in the funds ought to give a vote for each of the forty counties of England. The holder of the rent-charge had no electoral right whatever in the county, nor any interest in the rent-charge itself, except so far as seeing that a sufficient margin to cover the charge existed. Even *bonâ fide* rent-charges ought not to confer the county franchise; but it was notorious that many were of a different character, and these might be multiplied to any extent. A rent-charge of 40*s.* might nominally be sold for £50 or £60—the stamps not being more than 10*s.*, and printed forms of conveyance dispensing with the necessity for a lawyer—and neither the purchase money nor the annuity might ever be paid. In this way fictitious votes might be manufactured at a very small expense. The Chancellor of the Exchequer, replying recently to a distinguished Friend of his who had asked where the 4,000 freeholders of Bucks were, replied triumphantly that they were where they ought to be—in the county of Buckingham, meaning that they were on the register; but how many of them had fictitious qualifications? He had been told that in a neighbouring county there were recently 400 claimants at the registration, who all gave as their address one of the great London clubs, he would not specify which. This showed the devices that were resorted to to swamp the actual residents in the counties. This system of rent-charges put a power into the hands of the great landed proprietors of creating a greater number of votes than any new franchise enacted by this Bill. Whether they abused it or not, this enfranchisement of acres was too great a power to be left in their hands. It should be remembered that after the passing of the present Bill the landed proprietors must exert themselves in order to maintain their present influence; for they were now calling into existence a new class of county voters, especially in the county towns, and they all knew that the right of voting in these towns would be viewed with the greatest jealousy by the county proprietors. Indeed, he had heard that there was an intention of stifling this franchise in its birth by buying up the land in these towns. If the Committee did not adopt his first proposition, he should move the alternative clause, which was meant to restrict the power of creating franchises of a pecuniary character. The hon. Member concluded by moving—

> "From and after the passing of this Act no person shall be entitled to vote in the Election of Members or a Member to serve for any County in virtue of any rent-charge created after the first day of July in the present year."

Or, if this clause be not adopted, then—

> "From and after the passing of this Act no person shall be entitled to vote in the Election of Members or a Member to serve for any County in virtue of any rent-charge created after the first day of July in this present year, unless such rent-charge shall be of the amount of ten pounds or upwards, and shall be granted either in fee or for the life-time of the grantee, nor unless such grantee shall be either son, brother, or nephew of the grantor of such annuity."

THE CHANCELLOR OF THE EXCHEQUER said, that, although he had listened with the greatest attention to the hon. Gentleman, he had been unable to follow his remarks. The Motion of the hon. Gentleman was directed against what were called rent-charges; and so far as he could collect he was under the impression that the hon. Gentleman had indulged in very great exaggeration. For himself, he did not believe in this wholesale manufacture of rent-charges. In severe contests there might be instances in which the right, as it unquestionably was, had been abused; but he had not been able to collect that the hon. Gentleman had given any evidence on this subject. His argument had been founded, in fact, on a mere assumption that rent-charges were created out of estates. No landed proprietor, however, was fond of a custom of this kind. He did not like to break up his estate into patches; and any political party would find that if such a practice were resorted to there would be counter-irritation, and that all such proceedings would end in "vanity and vexation of spirit." He could not help thinking that these Motions from hon. Gentlemen opposite had a common character, and that they were all aimed at the limitation of the suffrage. There was evidently no case for such a clause, unless there was strong evidence that the power was abused, and that to a great extent. The hon. Member had adduced no evidence of that kind, and all experience went to prove that if the power of creating rent charges were exercised in a particular locality, it would be followed by a reaction, and would ultimately produce very little effect on public opinion. He hoped the Committee would not be induced to limit the franchise by agreeing to this clause, and, for his own part, he should certainly oppose the proposition.

MR. GLADSTONE said, he did not think the Chancellor of the Exchequer was quite accurate in his recollection, or in the imputation he had made on the Members who sat on that side of the House. He could remind the right hon. Gentleman that, on several occasions when Motions had been made of an enfranchising tendency, the right hon. Gentleman had strongly opposed them; such, for instance, as allowing copyholders and leaseholders in boroughs to vote in counties. He doubted whether the Amendment before the Committee would be a solution of the evils complained of. The Chancellor of the Exchequer had laid down, though not in precise words, propositions which were of a doubtful nature, and he thought the meaning of the right hon. Gentleman's statement was that although it might be shown that a particular provision of law was open to abuse, and, indeed invited abuse, there was no necessity for meddling with it until it was shown abuse had been committed to a certain extent. He did not think it a sound proposition, and the House ought not, under the name of enfranchising or under any other name, deliberately to adopt or retain a law the provisions of which had a palpable tendency to abuse. It was quite true that the law recognized as freeholders persons who had rent-charges given on the lives of the grantors; at the same time it was an interest of the most fugitive character. A man ninety years of age, the expectation of whose life was probably not two years, might create rent-charges in favour of individuals, and thereby make them freeholders and give them county votes, it being notorious that when such rent-charges were created no real interest whatever was conveyed and no money passed. He thought his hon. Friend ought to so frame his clause as to disfranchise persons in such a position. He did not think that a rent-charge upon the life of the grantor was such an interest as was in the contemplation of the law that made the freeholder a voter. But a rent-charge on the life of the grantee was quite a different thing. If this clause was to be read a second time, he would suggest that it should be amended in some respects. As it then stood it was proposed that no person was to vote for a rent-charge after the 31st July, whereas it was, he presumed, intended that no person should be registered after that date. But he presumed it was not intended to disqualify a man who was on the register. He did not see the necessity of limiting these grants, to the son, brother, or nephew, of the grantor, because there might be a *bonâ fide* interest in the rent-charge of an estate by a man who is neither son, brother, nor nephew. It ought, however, to be a *bonâ fide* transaction, and value received for the rent-charge. The principle of the clause appeared to be reasonable, and the points that had been referred to might very well be considered in detail. If the Committee was disposed to entertain it it ought to be pressed, but if not it had better be withdrawn for the present.

Mr. HADFIELD spoke in favour of the principle of the clause.

Mr. NEATE said, he would withdraw the clause for the present, but he regarded it as so important that if he received any encouragement he should attempt to introduce it in an amended shape on the bringing up of the Report.

Clause *withdrawn*.

Mr. CANDLISH moved, after Clause 7 to insert a clause, "That no elector who had been employed for reward at an election shall be entitled to vote." The object of this clause was to check corruption, and he would illustrate the necessity for its adoption by referring to the election for the city of Oxford in 1857, when there was a somewhat keen contest. A Committee of that House reported that Mr. Neate's Committee employed 198 persons as poll clerks and messengers, 152 of whom voted for Mr. Neate, and received sums of from £1 to 2*s*. 6*d*. each, which were paid under pretence of remuneration for services as messengers and runners during the election. Though it was not proved before the Committee that these payments to the voters were the primary motive in deciding their votes, yet in many cases it was shown that no adequate work had really been done for the money. Mr Cardwell had employed only twenty-eight messengers, of whom fourteen were voters, and he polled as many within forty-one as his competitor. Now, it was quite clear that if twenty-eight messengers were sufficient for conducting Mr. Cardwell's election, 198 were not necessary for conducting that of the other candidate.

Mr. NEATE said, he rose to order. He did not know that it was competent for the hon. Gentleman to quote from the document which he held in his hand. He thought the hon. Member was enlarging a little too much.

Mr. CANDLISH was not aware that there would be any objection to his quoting from an official Report. He did not, however, desire in any way to reflect upon the hon. Gentleman, for it was quite possible that the 152 electors to whom he referred were hired and paid altogether without the hon. Gentleman's cognizance. But be that as it might, it was perfectly clear that the successful candidate had won by means of a system of hiring and "putting on" voters to do the work of the election. The Committee also reported that in many cases no services were rendered by the messengers employed by Mr. Neate. In the election for 1859 the objectionable system prevailed at Preston and also at Gloucester. Messrs. Price and Monk were unseated for the latter place, for bribing by the emploment of agents, messengers, and runners. At Beverley the Committee reported that the objectionable practice also prevailed, the voters being paid from 3*s*. to 10*s*. per day, when in point of fact they really did nothing for the money. It was proved before the Committee that at Kingston-upon-Hull 487 persons were so employed on behalf of Mr. Hoare and 493 on behalf of Messrs. Clay and Lewis, and 300 who were voters and voted for Mr. Hoare received from 2*s*. 6*d*. to £3 5*s*. per day, when in reality many of them attended only at dinner time, and in the evening, and some were so old and infirm that they were incapable of rendering efficient service; in fact none of them rendered any adequate service for the remuneration they received. One man who was refused employment as a runner for Mr. Clay was afterwards put down as a messenger for Mr. Hoare. He was paid £1 2*s.* 6*d.* a day and afterwards voted for that gentleman. The same system of indirect bribery was also shown to have prevailed in the borough of Nottingham at the election in 1865, persons having been employed on behalf of Messrs. Paget and Morley who received, in the capacity of agents, messengers, and protectors from violence, sums varying from 15*s.* to £4 10*s.*; while the Commission appointed to inquire into the last election for Reigate reported that the system of paid agency seemed to have eaten through and through the whole constituency, several persons, such as clerks, engine drivers, and stokers engaged on the railway at Redhill, who were in constant employment, receiving pay on account of the candidates, and demanding wages from them to the amount of £8 each. In the report of the third Commissioner it was stated that the system of employing voters as sub-agents and canvassers seemed to be considered both by candidates and electors as perfectly legal. He thought such facts as these fully justified him in submitting his proposal to the House. He did not think it necessary to trouble the Committee with any further evidence on this subject, but would appeal to the experience of hon. Members themselves. He could say that as regarded himself the only embarrassment and difficulty he felt during a keenly contested election was the pressure that was put upon him to employ voters. The experience of other Members would confirm his own, and he wanted the House to declare that such things could not .be done legally. It might be said, indeed, that the persons who did the things he had stated were disfranchised. But they were not all disfranchised, and it was the fact that this employment of voters was in law not wrong in itself, but was only wrong in the degree to which it was carried; so that it was difficult for a person who desired to conform to the law to know what was or what was not a legal employment of voters as agents and canvassers. In many boroughs too, and perhaps in many counties, there was a resident class of electioneering agents, whose professed business it was always to bring about a contested election. Now the trade of these touters would no longer be profitable if they were debarred from personally participating in the expenditure resulting from contested elections. He proposed that an elector employed for reward should, if he voted, be deemed guilty of a misdemeanour; and that any candidate or other person paying such reward should also be deemed guilty of a misdemeanour. An objection had been made that his clause wae too sweeping; but if that were thought to be the case he would not object to have it modified. He, hoped, however, the Committee would retain the penalty he proposed for the offence—that of a misdemeanour. If they made the punishment a fine, those who traded in corruption would only sink themselves deeper in corruption by paying, not merely the bribe, but also the money penalty for having bribed.

Moved to insert after Clause 7, the following clause:—

"(No elector who has been employed for reward at an election to be entitled to vote.) No elector who before or during any election for any County or Borough shall have been retained, hired, or employed for reward by or on behalf of any candidate at such election as agent, canvasser, clerk, messenger, or otherwise, shall be entitled to vote at such election, and if he shall so vote, he shall be guilty of a misdemeanor; and any candidate, agent, or other person who shall promise or pay, or cause to be paid, any such reward to any elector so retained, hired, or employed, and voting at such election, shall be guilty of a misdemeanor."

MR. CLAY said, he thought that the hon Gentleman the Member for Sunderland could have made out a sufficient case for asking the Committee to read his clause a second time without entering into matters which were now but too notorious. Many of the cases to which the hon. Gentleman had alluded would be found to be by no means as gross as they appeared if they were examined into. With respect to the case of Mr. Hoare, the Committee were swayed by the appearance of a half-witted cripple in the witness-box. It appeared too ridiculous to have employed such a man as a runner. But the fact was that under no circumstances would that man have voted against his "colour." He thought there should be an alteration in the latter part of the clause—

"And any candidate, agent, or other person, who shall promise to pay or cause to be paid any such reward to any elector so retained, hired, or employed, and voting at such election, shall be guilty of a misdemeanour."

In Hull it was impossible to carry on a contested election with less than 250 messengers, who were principally selected from the Temperance Society; and what it would be when the constituency was increased from 6,000 to 17,000 he could not tell. He might mention what had occurred to himself in 1857. He had expressed a wish to those who were conducting his election that no voter should be employed, but on the polling day it was found accidentally that one of the clerks was an elector. A message was immediately sent to him desiring that he should not poll. A similar case might very well occur at any election, and a candidate or agent might by accident do that which by this clause was declared to be a misdemeanour. If, therefore, the latter portion of the clause were withdrawn, he should cheerfully vote for the first part.

Mr. CRAWFORD said, he should feel some difficulty in voting for this clause, as he believed that, to a certain extent, it would be inoperative. Its intention was to prevent persons voting who were employed as clerks, canvassers, or messengers; but what was to prevent those parties from getting their brothers or other immediate relatives to act for them? The corrupt motive for the employment would still remain. The clause would bear very hardly upon agents, who in large towns were generally very respectable persons, and many of whom from time immemorial had been engaged in the conduct of the local election. These gentlemen were far above all suspicion of being governed in their votes by the fact of their being professionally employed in connection with the election; and he did not see why they should be debarred from voting solely from this circumstance. He entirely approved the spirit in which the clause had been brought forward, but he would suggest that the word "agent" should be struck out and the clause made to apply only to canvassers, clerks, or messengers. If that suggestion were acceded to he should be happy to support the clause.

Mr. GLADSTONE said, he thought his hon. Friend who proposed the clause ought to accede to the suggestion of his hon. Friend the Member for the City, not only on the ground that the agents were in general most trustworthy persons — though he believed that they well deserved that character—but what he chiefly looked to was the fact that their numbers could not be collusively multiplied. They were too expensive persons; the remuneration they required was too great for multiplication of agents for the furtherance of objects and motives inconsistent with the purity of election. It was when they came to the canvassers, and messengers in particular, that multiplication by a hundredfold took place. Now, if the numbers were not greatly more than the occasion required, he would say *primâ facie* that it was hard that these people should be deprived of the privilege of their vote. But looking at the matter practically, it would be found that it was by the employment of nominal canvassers and nominal messengers that by far the larger part of the real corruption at elections was carried on. It was only in far advanced stages of corruption that avowed, palpable, and positive bribery was carried on. The payment of canvassers was not direct bribery, though it had all the effect of bribery—it had a generally demoralizing and degrading effect and yet as it had not the palpable character of bribery it was extremely difficult for a candidate, who was not of a very firm mind, to say, "This is bribery, and I will not have anything to do with it." It was very difficult for a candidate, who was not personally acquainted with the cirumstances and the numbers of the electors, to say what number of canvassers and messengers might be necessary. It came, however, to have the effect of bribery, and of flooding the town with money, the expenditure of which did no good to the town or anybody in it, while it had a generally depraving and demoralizing effect. What happened? Here were three or four candidates in the field. They had agreed that they would not employ these swarms of canvassers and messengers, and accordingly they had not employed them at first. The contest became hotter, and the candidate who was weakest employed a few more canvassers and messengers. The other candidates find it out, and they do the same, and so this large, and on the whole demoralising expenditure was brought about in a large number of towns. Looking at the matter practically, therefore, he could not help wishing well to the proposal of his hon. Friend, because he was persuaded that any inconvenience attending it would be very small in comparison with the benefit which was likely to result from it; but he hoped his hon. Friend would accede to the suggestion of the hon. Member for the City, and omit agents.

Mr. BAXTER said, he was very glad to observe the reception which the Committee had given to the clause proposed by his hon. Friend. He thought the case made out for it had been quite conclusive. At the same time, there was much force in the objection of the hon. Member for Hull, and he hoped the second part of the clause would be omitted. It was quite obvious that, if the Committee adopted that part of the clause, in the case of an elector being employed as a messenger, a misdemeanour might be committed *per incuriam.* But he rose to support the general principle that no man who was paid for his services at elections should have a vote, as it was impossible for such a man to be a free agent. He would oppose the omission of the word "agent" as suggested by the right hon. Gentleman (Mr. Gladstone), and the hon. Member for London (Mr. Crawford). The hon. Gentleman said that these agents were, for the most part, persons of the very highest character. He admitted that in nine cases out of ten—perhaps in 999 out of 1,000, these gentlemen were far above the suspicion of bribery. But he held it as a general principle, that no man who was paid for his services ought to have a vote at all. Let him put the case of Scotland. It was said there was no bribery in Scotland, and that was true; there was not that open and unblushing bribery which disgraced some of the towns in the south of England. But it was the habit in Scotland, and it had been the habit ever since the Reform Bill of 1832, to employ all the lawyers; and whenever an election took place in a Scotch burgh there emerged from all the dens and alleys of the place gentlemen who had never been heard of as lawyers before. What, he asked, was this but a species of bribery? If they omitted agents from the clause they would enable candidates to continue this corrupt and unconstitutional practice.

MR. POWELL said, he hoped the clause would not be adopted. It was rather a matter for the consideration of the Committee now sitting upstairs on the Prevention of Corrupt Practices at Elections than for insertion in a Bill to amend the Representation of the People. He could not admit that gentlemen employed as agents at elections ceased to be independent men. It was not every man whose position would enable him to devote his time on behalf of a candidate at an election without reward. There were also various objections to the phraseology of the clause. As the clause then stood every person who had received reward for services rendered at any election was for ever debarred from voting. He was not favourable to a measure which proposed to prohibit by legislation that which was inevitable at every election—namely, the employment of a reasonable amount of paid labour. If the practice of the employment of attorneys, canvassers, messengers, &c., were abused, Election Committees would deal with the matter, and the Member guilty of such abuse would run the risk of losing his seat. He hoped that the Committee would not accept the clause—in the first place, because the whole matter was before the Select Committee upstairs; secondly, because the clause was a most mischievous one, and would not mitigate the evils it proposed to remedy; and thirdly, because it was not properly worded.

SIR ROBERT COLLIER thought the hon. Member who had just sat down had entirely misapprehended the scope of the powers of the Select Committee sitting to inquire into Corrupt Practices at Elections. It would be quite beyond the scope of their powers to determine who should and who should not have a right to vote at elections. If the hon. Member were to read the clause attentively he would perceive that its words only disqualified a person receiving payment for his services at an election from voting "at such election," and not at any subsequent election. When one or two verbal alterations had been made in the clause it would become, in his opinion, a very salutary measure, and he trusted the Committee would adopt it.

MR. STEPHEN CAVE thought that the hon. and learned Gentleman opposite went too far when he stated that the subject under discussion was beyond the scope of the powers of the Select Committee which was now sitting to inquire into the subject of Corrupt Practices at Elections. The right hon. Baronet the Home Secretary under the late Government had himself introduced a similar clause in a Corrupt Practices Bill in 1862. The object of the clause, however, was, in his opinion, a very good one, as it was directed against an admitted abuse of a legitimate act. A certain amount of obloquy had been thrown upon men who were really honest in their calling by the practice of employing an unnecessarily large number of persons, and by paying them a great deal more than they were legitimately entitled to; and if it were true, as had been stated, that twenty-five solicitors were employed on each side at an election for a small borough, he did not wonder at some measure being introduced with the object of putting an end to such an abuse. Still, it must be recollected that those solicitors were not paid for their individual votes, but for the votes they could command; and he was therefore afraid that the value of those legal agents would not be practically diminished by this clause, as an agent who could command, with his own, 100 votes, would not be much less valuable if he could bring ninety-nine. On the whole, perhaps, it would be better to leave the question of abuse or no abuse to be decided by an Election Committee, especially as the passing of such a clause as that now under discussion would merely lead to candidates employing the relations of voters instead of the voters themselves, just as a Post Office was given to a widow with a son, in order that the vote might not be lost. There would be some danger of what might be called reverse bribery. Sharp agents would be employing their adversaries' voters, and thereby disqualifying them from voting. It would be dangerous again in another way, because it would be an inducement to candidates to employ strangers as their agents; and where strangers had been brought down to act as agents, bribery had always been more extensive and unscrupulous than in cases where a local agent, having a character to lose, had been employed. The clause was a good one; but the question was whether it would not be better to leave the law as it stood at present, and allow Election Committees to decide whether or not the practice of employing voters for legitimate purposes had been abused.

Mr. FAWCETT said, he hoped the Committee would pass the clause, because it would show the country that they were sincere in their desire to prohibit corruption at elections. He expressed his hope that the Member for Sunderland would not accept the suggestion, made with the best intentions, no doubt, of the right hon. Member for South Lancashire; for if they allowed agents to be employed in the same way as now, while canvassers and messengers were disqualified from voting, they would be creating a very invidious distinction. He had had some experience of elections, and especially of county elections, and he thought the right hon. Gentleman was in error when he said that agents were not employed corruptly, the same as paid canvassers were. A friend of his, who was standing for a large constituency at the last election, wrote to his leading agent empowering him to do everything he could in the way of spending money so long as he did not spend it corruptly, to secure his return. The agent, a man of great acuteness, immediately went to every solicitor in the constituency, offering a handsome retaining fee, which many of them accepted, and that gentleman afterwards acknowledged that he did not intend to give these solicitors any employment, and that his chief motive was to get their votes. No doubt he retained them for their interest also, and that Parliament could not prohibit; but it was no argument against the clause that they could not completely prevent that which they all desired to prevent. If they were to say that a solicitor who acted as agent should not have a vote, they would diminish the chance of his taking the agency, and they diminished, if they did not completely destroy, the motive of the candidate for employing those agents. The argument that candidates might use any number of canvassers was tantamount to the assertion that a rich man could gain his seat by legitimatized gross corruption. The Member for Sunderland never supposed that this clause would entirely destroy corruption. They could only deal with that subject by bits. This clause struck at one very great source of corruption; it would do good as far as it went, and therefore it would be most unwise not to adopt it. The collateral advantages of passing the clause were as great as the direct, and unless the House showed itself sincerely desirous and resolutely determined to do something to diminish election expenses, it would appear to the country that they had framed a Bill which would increase election expenses, and it would be always impossible for a man who had not a large fortune to obtain a seat in Parliament. It was all very well to say that Election Committees checked these expenses, but an Election Petition was a most expensive and uncertain process; and there were many cases where a very large number of canvassers and messengers were employed, and no petition was presented. He believed there were solicitors in the country who depended on elections for the best part of their income; and it would be greatly to the advantage of the country if the law said that he who made a profit out of an election should be deprived of the privilege of exercising the rights of citizenship. He therefore heartily supported the clause.

Mr. M'LAREN said, he thought the object of the clause had been a little misunderstood. No one contemplated that if legal gentlemen were employed at elections they should not be paid. All that the clause declared was that if they were employed as legal agents they should lose their votes as electors. That principle would apply equally to both sides, and it would be very difficult for one party to gain an advantage over the other. The clause went on to say that—

> "Any candidate, agent, or other person, who shall promise, or pay, or cause to be paid any such reward to any elector so retained, required, and employed to vote at such election shall be guilty of a misdemeanour."

That, of course, was the necessary complement of the first part of the clause, for if it was right to pass such a law, it was certainly right to punish a man for disobeying it. If the clause became law, a man should be punished for infringing it just as much as he would for stealing a loaf, for both would be equally forbidden by Act of Parliament. The hon. Member for Hull had said that no less than 240 messengers were required at his election for that borough; but he (Mr. M'Laren) had had experience of a constituency where the number of voters were greater than in Hull by a half, and the number who actually polled more than double; in that constituency at the last election there were not twenty messengers employed. He did not know how many of them were voters, but he was quite sure that they were not employed because they were voters. The hon. Member for Montrose was not generally much given to playful banter; but he must surely have been quizzing the Committee when he talked of the number of lawyers in Scotch boroughs, who came out of holes and all sorts of abominable places to be employed at election times. There was certainly no lack of lawyers in the city which he had the honour to represent, and yet he could assure the Committee that, with the exception of clerks at the polling booth, who were paid for their services, there were only four legal gentlemen employed by himself and his Colleague at the last election, and no less than 8,400 persons were polled upon that occasion. He admitted that in grouped boroughs in Scotland whatever club, or local coterie, sent down a candidate first and secured the local lawyers had the best chance in the election. The lawyers were powerful with the £10 householders—the men who were small traders, who built houses, who borrowed money—but the honest artizan did not care a pin about them. Thanks, however, to the gift of household suffrage, which they had got from the Chancellor of the Exchequer, the lawyers would not continue to rule the roast, and he was assured a change was on the eve of being accomplished in Scotland which would startle many. He quite agreed with the spirit of the clause, and he hoped the Chancellor of the Exchequer would add to the many obligations he had conferred on the country by consenting to its adoption in the Bill.

MR. D. ROBERTSON said, he did not admit that the burghs of Scotland were at the mercy of the legal gentlemen employed by the candidates sent down from London. He never heard of such a thing; and, on behalf of Scotch Members, he begged to give the statement the most unqualified contradiction.

COLONEL SYKES said, that candidates need not fear that they would be deprived of the valuable services of advocates, as the vote would not be counted worth as much as the fees; whereas, on the other hand, as scarcely one in five of the adult male population would have a vote, non-voting messengers would not be scarce. He therefore asked hon. Members to pass the clause, and prevent the public from inferring that they employed voters as messengers in order to get their votes.

Clause read a second time.

On Question, "That the clause be added to the Bill,"

MR. POWELL moved the omission of the words "before or" in the first line of the clause, believing that those words would give the clause a retrospective operation.

MR. ROEBUCK said, that the first thing to consider was when the election commenced, and what mischief could be done before then. He did not think there could be any harm in using the words "before or;" but he believed that the words "at such elections" would prevent the retrospective operation which the hon. Member feared would result from the clause as it stood.

MR. CRAWFORD said, he would propose that they should insert the words "after the issuing of the writ;" because agents were often constantly and continuously engaged by candidates, though they did not come into the active exercise of their functions as election agents until after the writ was issued.

MR. SERJEANT GASELEE said, that unless some such Amendment as that proposed by the hon. Member for Cambridge was adopted, the operation of the clause might go, at all events, as far back as the previous election. [Mr. ROEBUCK repeated his opinion that the words "at such election" were conclusive on the point.] Well, he differed from the hon. and learned Member for Sheffield, if the hon. and learned Gentleman would allow him to say so, as he considered that the words which followed did not govern those which were proposed to be omitted.

Mr. MONK said, he had just been informed that the hon. Member for Sunderland during his absence had made an attack upon himself and his Colleague on account of their employment of messengers and doorkeepers at the Gloucester election in 1859. The charge made by the hon. Gentleman was totally devoid of foundation; for, while on his opponent's side 151 messengers were employed, he and his Colleague only employed 82, and he himself obtained a majority of 180, and his Colleague 212. He might add that, so far from their owing their election to the employment of these messengers, it was proved in Committee that a considerable number of them were bribed by Sir Robert Carden's agents, and voted for that gentleman.

The ATTORNEY GENERAL said, his wish was to suggest language which should meet the views of the Committee. He would therefore propose to insert after "canvasser, clerk, messenger, or otherwise" the words "and who shall act accordingly at such election." The introduction of these words would, in his opinion, make the clause more perfect. Perhaps it would be better also that the word "agent" should be omitted. He understood that the hon. Member did not press for the adoption of the latter part of the clause beginning with the words "and any candidate, agent, or other person." With that omission, therefore, and the alteration he had suggested, he thought the clause would answer very well.

Sir ROBERT COLLIER said, he thought the words proposed by the Attorney General would generally meet the difficulty, and might be fairly accepted. If the latter portion of the clause remained unaltered, a candidate might hire a person on the supposition that he would not vote, and if he did vote afterwards the candidate would be made guilty of a misdemeanour.

The CHANCELLOR of the EXCHEQUER said, that the clause, as it stood, would apply to check clerks, who were usually men distinguished for ability, and enjoying the confidence of the parties. As, according to the Constitution, they did not trust the returning officer, each side must be represented by men of ability, in whom full confidence was placed. But under this clause even the most esteemed persons in society could not act as check clerks without forfeiting the right to vote.

Mr. WHITE said, he wished to thank the hon. and learned Gentleman for the manner in which he showed himself anxious to meet the views of the Committee. He would put it to the hon. and learned Gentleman, however, whether the words proposed would not limit the operation of the clause too much. Numbers of voters were employed to act as agents, who did nothing but simply recorded their votes in favour of the candidate by whom they were paid.

Mr. CRAWFORD said, he thought the check clerk was employed by each candidate to check the votes given for the other candidates.

Mr. CANDLISH said, he wished to express his obligation to the Attorney General for his acceptance of the clause, and entirely concurred in the words he had suggested, and the words to which he took exception, and which, in fact, were not before the Committee. The remarks made by him respecting the Gloucester election were misconceived. He wished to explain to the Committee that he had cast no imputation on the hon. Member (Mr. Monk). He simply read the Report of the Committee that sat on the election, in which it was stated "that voters were employed as messengers."

Mr. MONK said, he wished the hon. Member had read the Report of the Commissioners as well as that of the Committee, there being a great difference between the two.

Mr. NEATE recommended the adoption of the term prescribed by the Act *Geo.* IV., c. 37, s. 1.—namely, "six months before the election and fourteen days after it."

Mr. MONTAGU CHAMBERS said, he believed the intention of the clause was to suppress the remuneration of voters, and to prevent election agents from voting at elections. His hon. Friend was perhaps a little unconscious how matters might be managed if they were to introduce the words "acting at elections." Experience taught them that there were certain election agents who "nursed" certain boroughs, and undertook to return any candidate. If the alteration proposed by the hon. and learned Attorney General were agreed to the effect would be this, that men who were electors might be employed, and any amount of money given to them, provided they agreed not to act openly for the candidate at the time of election, and then they could vote for him with perfect freedom. He might be charged with excluding many humble electors; but his notion was that no man who was paid by a candidate should vote at an election in whatever capacity he might have been employed on behalf of the candidate. If that notion were acted upon they would have a very much higher class of voters. He thought the adoption of the clause before the Committee would check a very growing evil with respect to the employment of voters by rendering them liable, if employed, to be proceeded against for misdemeanour; but the alteration proposed by the hon. and learned Attorney General would absolutely destroy its efficiency.

MR. HENLEY said, he thought this was a very amiable attempt to attain electoral purity; but that its effect would be to buoy out the channels along which those who wanted to do a wrong might sail with the utmost impunity. The adoption of the clause would simply be to point out and put down buoys against every danger upon which those people might possibly have run their heads. If they were to create misdemeanours, then the least they could do was to define the offence, and not leave it vague. A man ought not to be allowed to run into the commission of a misdemeanour without the least knowledge of what he was about. He did not know what the words "anybody employed for reward or otherwise" were intended to convey. Let them take the case of a candidate who had a threepenny ride in an omnibus in the borough of Marylebone during an election. If the wretched man to whom he paid the *3d.* were a voter, he would be gulty of misdemeanour, having been "employed for reward." ["Oh, oh!"] He admitted that that was an extreme case, but that was the sort of case that might arise. He would move, under those circumstances, to strike out the words "or otherwise." If he were told by the hon. and learned Attorney General that those words would only have reference to such sort of employment as the employment of clerks, canvassers, or messengers he should be content. He did not see that any advantage would be gained by these people voting; but if hon. Gentlemen thought they were going to make elections more pure by clauses like this they were much mistaken. Agents, who knew their business, would be able to keep exactly clear of the particular things mentioned in the clause, and would still be able to go on spending money right and left as they did now, where one man had money to spend and another man was inclined to take it. He wished to ask the Attorney General what would be the legal construction of the words "or otherwise," and whether or not their meaning would be narrowed by the words which preceded them?

Amendment to omit the words "before or," from the first line of the clause, *withdrawn.*

MR. NEATE said, he would move the insertion of the words "within six months before" the election.

MR. WYLD said, that a prolific source of indirect bribery was the hire of committee-rooms. Would "or otherwise" embrace the payment of voters for committee-rooms?

MR. PIM said, he wished to know, also, whether it embraced the employment of cabs?

MR. MONK suggested that those questions might be referred to the Bribery Committee.

MR. NEATE said, he thought that that was a very good idea.

MR. KNATCHBULL-HUGESSEN said, that the Bribery Committee, of which he was a member, could not possibly take cognizance of such questions.

THE ATTORNEY GENERAL agreed to the insertion of the words limiting the employment of voters to "within six months" before or during the election.

Clause amended accordingly.

THE ATTORNEY GENERAL said, he thought that the words "or otherwise" would be held to apply to other employments of the like character as those specified in the clause, and he believed that this was the true construction under the Acts 7 & 8 *Geo.* IV. which had been referred to by several hon. Members. In order to put this beyond doubt he suggested the use of the words "or in other like employments," in place of the words "or otherwise."

MR. POWELL moved to omit the word "agent." He believed that many of these gentlemen at elections did not receive more remuneration for their time and services than they had a right to expect. He was sorry the experience of hon. Gentlemen opposite was so different from that of Members on the Government side. The law recognized the employment of agents, and he did not think they ought to be disfranchised by the present Bill.

Amendment to omit the word "agent" put, and *negatived.*

Mr. BONHAM-CARTER said, he thought it would be very unjust to disqualify the agent for election expenses, whose nomination was rendered necessary by the law itself. He was generally one of the most respectable men the candidate could find, and it was hard that he should be deprived of his vote. He therefore moved to insert "other than the agent for election expenses."

Amendment *negatived.*

Amendment to leave out the word "otherwise," and insert the words "in other like employment,"—(*The Attorney General,*)—put, and *agreed to.*

Mr. DARBY GRIFFITH said, that the object was to prevent these agents from voting. He moved to insert the words "his vote shall be void."

Amendment *withdrawn.*

Mr. CLAY moved to strike out all the words after the word "misdemeanour" in the latter part of the clause.

Amendment put, and *negatived.*

On Question, "That the clause, as amended, be added to the Bill,"

Mr. POWELL said, that if the Committee passed the clause in its present shape they would be placing many gentlemen in a most degraded position. A man might have done some act as an agent, and given a vote without knowing that he actually came within the description. The clause was so ambiguous that he trusted it would be negatived.

Mr. CLAY said, that one of the most disputed points before an Election Committee was whether a man was an agent or not; but a man, however respectable he might be, must know whether he had been employed and paid.

Clause, as amended, *added* to the Bill.

Mr. HORSFALL said, the object of his Amendment was that an additional Member should be given to each of the three largest towns—namely, Liverpool, Manchester, and Birmingham; and he thought he could, in a very few words, state a case which would, he hoped, induce the Committee to assent to that Amendment. According to the Census of 1861, Birmingham had 296,000 inhabitants, Manchester 357,000, and Liverpool 443,000. The population of Liverpool now exceeded 500,000, and he had no doubt that the population of Birmingham and Manchester had increased in an equal ratio. It had been suggested to him to contrast the case of Liverpool, returning two Members, with that of the City of London, returning four, not for the purpose of concurring with the proposition of the hon. Member for Maldon for depriving the City of London of two of its Members, but rather for the purpose of strengthening his argument. In 1821 the City of London had 124,000 inhabitants; in 1831 it had 122,000; in 1861 the number had decreased to 112,000; and he believed now it was considerably lower. Thus the City of London with 100,000 inhabitants returned four Members to Parliament, while Liverpool with a population of 500,000 returned but two Members. He should be told that merchants and others who formerly resided in London now resided in the country, and went to and from the City daily. But the same thing happened at Liverpool, and no doubt, also, at Birmingham and Manchester. So far, then, as to population, which the Chancellor of the Exchequer had well said must not alone be taken into account, but that property and intelligence must likewise be considered. Well, continuing the contrast between London and Liverpool, he found that the assessed property of London was £1,920,000, while that of Liverpool was £2,402,000, or nearly £500,000 in excess of that of London. The exports of British manufactured goods from London were, according to Parliamentary Returns, about £37,000,000, while those from Liverpool were £73,000,000. He could quote from other public documents, showing the great importance, not only of Liverpool, but of Manchester and Birmingham. So much for population and property. He now turned to the subject of intelligence, with which it was not quite so easy to deal. He was afraid there would be great difficulty in instituting a competitive examination to test that; but he ventured to say that, in point of intelligence, Birmingham, Manchester, and Liverpool stood at least as high as any other part of England. He believed, therefore, that, on the grounds of population, property, and intelligence, each of those three large towns had a claim to an additional Member. When the Motion of the hon. Member for Wick, for giving a third Member to six large boroughs, was before the House, he had not heard a word from his constituents on the subject, and he did not take any part in the debate beyond his vote. But since then a public meeting had been held at Liverpool, presided over by the Mayor, and in which gentlemen of every shade of politics took part. The meeting came to a unanimous resolution to forward a petition to that House, which he had had the honour to present, praying for two additional Members. He had been struck with some of the arguments used at that meeting, and particularly by a statement made by one of the speakers on the occasion — a gentleman well known to many hon. Members opposite, who after quoting statistics relating to population and property, and referring to the Income Tax, maintained that Liverpool, according to that, ought to have twenty-one Members; and that the average of the whole was that, instead of two, it should have fourteen Members. Now, he made no such claim on behalf of Liverpool, and, though he only asked for one additional Member for it in his Amendment, he thought it was fairly entitled to two. At the meeting it was further urged that some consideration was due to the Members for Liverpool, who had very onerous duties to discharge—duties, perhaps, more onerous than those of any other two Members of that House. But neither he nor his hon. Colleague would put that argument forward; indeed, he was content to take his stand on the three simple grounds stated by the Chancellor of the Exchequer—namely, population, property, and intelligence; and he asked the House to concede to those three large towns that share in the representation of the country which they certainly had not now, but to which he respectfully submitted they were fairly and fully entitled.

New Clause —

(Certain Boroughs to return three Members.) From and after the end of this present Parliament, the several Boroughs named in Schedule (G) to this Act, each having a population (according to the last Census of one thousand eight hundred and sixty-one) of upwards of two hundred and fifty thousand, shall respectively return three Members to serve in Parliament,—(*Mr. Horsfall,*)

—*brought up,* and read the first time.

MR. ADDERLEY said, he wished to make a few observations on the principle of the clause. It seemed to him that the question had not been fully discussed as it was raised by the hon. Member for Wick (Mr. Laing); and he doubted whether the hon. Member for Liverpool fully understood the principle of his own proposal; for the latter hon. Gentleman asked only for one additional Member for that place, and yet by his argument it ought to have four at least. That hon. Gentleman, if not in the actual phraseology of his Amendment, yet in his own mind, laid it down as a general proposition that Members ought to be apportioned to every constituency according to its numbers. That might be a good or a bad principle; but he wished the Committee gravely to consider that, if they accepted the principle involved in this clause, they would adopt a total innovation upon the old-established principle of our representation. The right hon. Member for South Lancashire said that in opposing the Motion of the hon. Member for Wick, the Government strained at a gnat; but he would ask that right hon. Gentleman to consider whether he was exaggerating the real state of the case in asserting that the present proposal was a total innovation upon our system of representation. It was the introduction of the American principle of representation by numbers, and an abandonment of the English principle of representation of places. The representation in that House always had been a local representation, the principle being that every place entitled to be represented should send a sufficient organ to speak and deliberate for it, requiring for each the same number of Members. Every constituency had always sent the same number, save in the case of the metropolis and one or two other exceptions, which proved the rule. The old writs stated that Members were returned to consult about the national interests, but, according to the new principle proposed, they were to be returned simply as counters in a division. The new principle would degrade the functions of Members of that House. For one question they discussed, which was limited to the interests of a particular constituency, they discussed a thousand affecting the national interests, and when the discussion was simply of local interests a heap of local Members were not wanted. No doubt there should be a minimum of population, below which boroughs should not be separately represented, but should be merged with the villages and rural communities returning county Members; and the House had also decided that boroughs with populations below 10,000 should have only one Member. But that fell in completely with the view he had enunciated—namely, that the principle of our representation, from the first time when Members were sent to that House, was that every place returning a Member should thereby only have a voice, an organ to consult respecting the national interests in the deliberative Assembly of the nation. He had not the slightest doubt that the hon. Member (Mr. Horsfall) in making that proposal had ulterior objects in view, whether consciously or unconsciously. No doubt in fixing the number of Members at three, and stopping short of the full proposition of heaping on Members in proportion to population, the hon. Member for Liverpool had in his mind the plan of the hon. Member for Westminster for securing the representation of minorities; but he maintained that that was a question to be disposed of on its own merits, and not under cover of another proposition.

MR. HORSFALL said, he had no such object in view as that suggested by the right hon. Gentleman.

MR. ADDERLEY said, that it was part of the same proposition, and nothing could be more illogical than what was called the representation of minorities. A man who stood a contest against a minority having considerable influence, when he was returned represented the minority as much as he did the majority. At the basis of the project of the representation of minorities there lay a fallacy, which was the consideration of only one public question—namely, that on which elections turned—of overlooking many other questions upon which the constituency might or might not be divided, or might be divided very differently as compared with their relation to each other on the question at issue in the election. Many of the Amendments moved in Committee had been moved with special objects in view, such as carrying this or that particular seat, meeting this, or that election, obviating this or that difficulty, securing a berth for a beaten candidate; but he asked the Committee to decide this proposition on its wide bearing—shall places cease to return representatives, and certain numbers be represented instead? Let it be remembered that the proposition would subvert the old principle of representation and introduce a totally new one. The hon. Member for Wick had used the expression that a large place should have a large voice, and the right hon. Member for South Lancashire had said that a large place should speak with proportionate weight in that House. Large places, however, were duly represented not by increased numbers of representatives, but rather by the quality of the men that they sent into the House of Commons, and the aggregate influence of the numbers who sent them. They ought always to be able to send to the House men of large experience, weight and influence, and they had themselves power to give them weight. Had not the town of Birmingham its full weight in that House in the kind of representation it possessed, though by means of only two Members? It was amply represented, and had its due weight. Again, it must be remembered that the larger towns naturally exercised considerable influence over the representatives of other towns, and in this way secured a further share of political power than these for their own Members only. It was a novel principle to heap Members on a place in proportion to its population. It was a novel argument also that because a place had large local business it therefore required more representatives. The Members of a large commercial town might want the aid of more secretaries and clerks; but it was the duty of Members themselves in this House not to do local business, but to deliberate on matters affecting the national interests. The local business of a place would not be a bit better conducted with an increased number of Members, for they would not divide the business between them, but they would still continue to act in concert, and their time would be just as much occupied as ever, or they might act without concert, and increase each other's work. The probability was that the addition of a third Member for any place would simply neutralize half the influence of the other two. He was perfectly willing to discuss the question on its own merits; but he hoped the Committee would not decide the question without seriously considering that whether the proposed principle were good or bad, it was at all events a subversion of the old principle of representation. If places were to have three Members, let the areas be divided, and let us keep to the original scheme of Parliament that each area shall have the same number of representatives. The Government had not deviated from this principle in the case of Glasgow, for they proposed to divide the area of representation, as it was divided in the cases of Manchester and Salford, and Birkenhead and Liverpool. The present proposition was practically that Manchester and Salford should have five Members; but if they were to have that number, let the area of representation be divided into five. The new principle of giving additional Members to large communities would injure their influence in the House, and subvert the principle of representation. If Members were to be heaped on to populous towns to count in divisions, rather than to deliberate in their names, how many such counters some places might fairly claim! It would be better to give the Representatives of large places several votes in a division than turn the Members themselves into mere counters, and degrade the principle of a deliberative assembly.

Mr. HARVEY LEWIS said, he had no objection to Liverpool and other large towns having additional representatives, and he wished to state to the Committee that he abstained from voting for the Motion of the hon. Member for Wick, not because he had any objection to it *per se*, but because he thought if it were carried it would exhaust the available surplus of Members which the metropolitan constituencies had some claim to share. Had he thought the hon. Member for Wick wrong he would have voted against him; but he abstained from voting lest he should do his constituents injustice. If the claims advanced on the part of Liverpool had any weight, it must be self-evident that on the same grounds Marylebone had greater claims. At the last census the population of that borough was 436,000; and now it was probably 470,000 or 480,000; and probably before another Reform Bill could be thought of it would be 500,000. The population was increasing with marvellous rapidity, and all available building ground was being quickly covered with houses. Representing such a community, could he fairly be called upon to vote that other towns of less extent should have that increased representation which was denied to Marylebone? It might be a comfortable doctrine, that Members had not to attend to local business, and he sincerely wished that his own constituency could be induced to accept it, for that would take a load off his shoulders; but in a borough which contained, for instance, several of the most important railway termini, there must be important questions continually arising, and if he were not to attend to them his constituents would have reason to say he grossly neglected their interests. He had not the slightest jealousy of the increased representation of the large towns; but, if they were to receive it, Marylebone had a claim to the consideration of the House, and it was his intention to assert it at the proper time. The borough of Marylebone consisted of three parishes, and the value of the property assessed to the county rate which it embraced amounted to £2,737,964. The present number of the voters for the borough was not less than 23,787, and to what extent that number would be increased when the lodger franchise came into operation he would leave the Committee to conjecture. He believed he had now advanced grounds sufficient to show that Marylebone was entitled to have two additional Members, and, when the proper time came, he intended to bring forward a Motion to that effect, which would, he trusted, receive the favourable consideration of the House.

Mr. SMOLLETT said, he thought the Motion of the hon. Member for Liverpool had been brought forward with a view of inducing the Committee to rescind a resolution at which they had already arrived, and without, in his opinion, any sufficient reason having been alleged why they should retrace their steps. The Government scheme of re-distribution had been before the country for months, and although no one imagined that it ought to pass without some alteration, it was at all events expected that it would have been adhered to in all its salient parts. And what, he would ask, were the two cardinal points of the scheme. First, that no borough should have its right to representation absolutely extinguished; and, in the second place, that there should be no constituency with unicorn Members. Now, to both those points the Committee had already given their sanction, and, although they had for some time been before the country, they had not met with the least opposition. The hon. Member for Wick had on the Paper of the House for a long time a Motion, the object of which was to give six unicorn Members to the largest towns, and that Motion received a considerable amount of party support; but it was far from meeting with the unanimous approval even of the representatives of those towns which were mainly interested in its success. Both the Members for Liverpool voted, he believed, in the minority in the Division which was taken upon it. One of the Members for Leeds and one of the Members for Sheffield voted in the majority, while the junior Member for Manchester stated to the Committee that he had not had a single request from his constituents to ask for a third seat for that town. The senior Member for Manchester told it was true, on that occurrence, a different tale; for he said that some of the most advanced among his constituents had requested him to call for six additional Members. When the hon. Gentleman made that statement the Committee "laughed consumedly," and as he thought with good reason; for it was no secret that it was a very difficult matter to get two local gentlemen to represent Manchester satisfactorily in Parliament. He recollected well that when, during the Chinese war, the electors of Manchester thought fit to get rid of their representatives — the present Member for Ashton and the Member for Birmingham—the first person to whom they sent an invitation to represent them was Lord Palmerston. A deputation from Manchester came to ask him to stand for that city, and when Lord Palmerston declared he would adhere to Tiverton, the offer was made to the right hon. Gentleman the Member for Calne. The fact, as he said before, was that Manchester, like many other large towns, found great difficulty in procuring good local candidates to represent it. It had, as a consequence, often been canvassed by gallant generals and admirals, and other gentlemen utterly unconnected with it, and when the constituency was doubled there would be still greater difficulty in securing the services of good local men than existed even at present. Those great towns, in short, rejoiced to have a representative who was connected with the Ministry, in order that they might enjoy a greater share of the loaves and fishes which happened to be going. Well, the Motion of the hon. Member for Wick having been rejected, he thought the question which it raised had been disposed of, but it cropped up again, and why? Because the wire pullers of both parties had been pulling the wires for the last two or three weeks, meetings had been got up, and the League had moved in the matter. The Motion of the hon. Member for Liverpool naturally followed. All those proceedings showed in his opinion a vast amount of vacillation; but he hoped the Committee would not depart from the resolution at which they had already arrived. For his own part, at all events, he should vote as he had done before against giving unicorn Members to those large cities. He would do so for one reason because he disliked unicorn constituencies; believing that if a town was so large that it was deemed expedient to give it additional representation, the best plan would be to divide it into two parts, and let each part return two Members. But he would also vote against the proposition on a different ground—a ground which he was not ashamed to state —and that was, that he altogether distrusted the enormous constituencies which were about to be created in those towns. The Committee were engaged in forming monster, if not mob constituencies, and in doing so they were, he believed, taking a great leap in the dark—a step which even the hon. Member for Birmingham, in his postprandial oration the other evening at Fishmongers' Hall, admitted to amount almost to a revolution. They were in short taking a step the result of which the wisest among them could not foretell, and was it prudent under those circumstances, he would ask, to give these constituencies, of whom they knew nothing, power to send a greater number of representatives to Parliament? Would it not be much better to wait to see what one or two general elections would bring about, and what were the stamp and style of men whom these large constituencies would delight to honour? That House, it was said a few nights before, was condemned to die, and the hon. Member for Nottingham seemed to think that its death would be a lingering one. But be that as it might, it was condemned to die mainly because it was declared to be effete and used up as a legislative machine. An infusion of democratic blood had been recommended as a remedy for that state of things, and hon. Members had, he believed, been drenched with the dose to their heart's content. He, for one, did not believe that the Members returned by those great towns would contribute to make a better Legislative Assembly than the present; and, indeed, he could not help thinking that the House would, year by year, after the passing of the Bill, become more unmanageable in the hands of the Ministry. Two more Members had been promised to the Tower Hamlets; and the hon. Member for Marylebone said he would move that two additional Members should be given to the borough which he represented. Now, if the electors of Hackney, that immaculate borough, were to send to the House, as one of its two Members, a Gentleman as assiduous and attentive to its interest as the senior Member for the Tower Hamlets [*Cries of* "The junior Member!"]—he knew of but one Member for the Tower Hamlets — as capable of taking part in every debate which arose, did anybody suppose that the usefulness of the House of Commons as a legislative machine would be increased? [*Laughter.*] The hon. and gallant Member opposite (Colonel Sykes) laughed at that observation—but the hon. Gentleman had promised to make a Motion to add another Member to Aberdeen; and if that grand old city should send as a Colleague to the hon. and gallant Gentleman another Member equally full of statistical information, and equally ready to impart it to the House, if he could only find anybody who would condescend to listen to him—was it to be expected that at the end of a Session in the Reformed Parliament there would be a smaller number of innocents to be massacred? His impression was that under this Bill we should have the House becoming more and more unmanageable every day, and therefore he should decline to vote for the hon. Member for Liverpool—at all events, until he saw what style of men the large towns would be likely to return.

Mr. GOSCHEN said, he should not imitate the hon. Member who had just sat down by depreciating the services rendered to the cause of legislation by some of the representatives of large constituencies. Although he saw the formidable Amendment of the hon. Member for Maldon staring him in the face, he was not afraid to support the Motion of the hon. Member for Liverpool, though in doing so he should be returning good for evil, as the hon. Member had selected the City of London in order to compare it with his own borough. Large constituencies had many interests in common, and they were all interested in obtaining for one another a larger share of Parliamentary representation. Many questions arose in that House in regard to which the constituents of large boroughs held opinions different from those entertained by county and small borough constituencies, and therefore putting all invidious distinctions aside, he thought every representative of a large constituency ought to strive to increaes the representation of other large constituencies. It was said that the Members for large constituencies were so over-burdened with local business or special objects that they were unable to pay so much attention to Imperial questions as the representatives of small boroughs. Now, on this point, he would remark that some misunderstanding existed in regard to local business, which was, in fact, of two kinds. First of all, there was local business properly so called—namely, that which was embodied in private Bills, and which the House and the constituencies expected the Members for the particular localities to attend to. No doubt this might be considerable enough to interfere with the discharge of more important duties; but it certainly was not, as the right hon. Gentleman seemed to imagine, business which could be performed by clerks. He did not think, however, that it was the local business, properly so called, of large constituencies which occupied so much time, but rather the special though public interests of such constituencies. In small towns there might be two or three special interests, whereas in large towns there would be thirty or forty. The representatives for Liverpool, for example, were required to take part in the debates on a vast number of questions which the constituents of the counties and small towns took no interest in. Now, these questions were none the less of an Imperial character because they affected some constituencies more than others. When large masses of men were crowded together in a small space there was sure to arise more need of legislation than in the case of scattered populations. And those questions the Members for the great towns were bound to study and to become thoroughly acquainted with, in order that they might assist in their satisfactory settlement. The demands that were thus made upon the Members required that those constituencies should have additional representation in order that their interests—which were the interests of the country at large—might be adequately attended to. The question arose — how was the population divided between their large towns, their counties, and the small boroughs? The right hon. Gentleman (Mr. Adderley) had denounced the theory of population, but it was upon that the division of the counties had been proposed by the Government. The right hon. Gentleman said that if they broke up Liverpool into divisions his argument would be at an end; still it was population which he had in view. He (Mr. Goschen) had not argued this question upon any view of party, but upon that of separate interests; and was it not true that the populations of their largest towns had separate interests?—interests in which the counties and small boroughs could take no part. Take, for example, the question of education, which would soon occupy a very large share of their attention. Now, in a small town it was quite easy for the authority of clergymen and others in a similar position to be exercised; they could go to the children's homes and force them to go to school. Hence it was that the people of small boroughs were in favour of the voluntary system, while the people of large towns, where this moral authority was of no avail, were opposed to the system of voluntaryism, and held by compulsory education. Take, again, the question of food. The small boroughs were fed from the adjoining farms, but not so the large towns. He might multiply illustrations, but that would be useless. The House would remember that the Chancellor of the Exchequer himself had thought it right to make these distinctions in referring to the population of counties and that of boroughs. He would trouble the House with a few statistics. There were in England, including the metropolis, 4,250,000 of people living in towns with over 150,000 inhabitants. That was about half the borough population of England, and yet that 4,250,000 had only thirty-four out of the 334 borough representatives. If this Bill passed, out of 1,300,000 electors, 576,000, or 44 per cent of the whole, would be inhabitants of towns with a population above 150,000, and that 44 per cent would return only one-tenth of the entire number of Members. But he had not argued the question on the basis of population, or the amount of wealth. He had argued it on the various channels of industry and wealth which were to be found in those great towns. The Motion of the hon. Member for Liverpool was a step towards remedying the deficiency in the representation of large towns—a deficiency which was unjust to those towns themselves, and detrimental to the country at large. On those grounds, though the Motion did not go far enough, he should give it his support.

Mr. SANDFORD said, that his right hon. Friend who had just sat down was mistaken in thinking that he wished to defend the system of a large representation for small boroughs on the ground that the Members for those boroughs had more time to give to questions of general policy than could be devoted to such topics by the Members for large towns. The speeches of his right hon. Friend would alone suffice to refute such an argument; and the example of the right hon. Gentleman, in his opinion, conclusively proved that the City did not require four Members, for the right hon. Gentleman could himself discuss all questions that came before the House with equal ability, whether they dealt with foreign, social, or financial questions. But he would contend that in many of the small boroughs various interests were to be found. His own borough was partly an agricultural, partly a commercial, and partly a naval town, and it therefore appeared to him to be not over represented by two Members.

Mr. THOMAS CHAMBERS said, that, when hon. Members got up and made these Motions for giving additional Members to certain large provincial towns, he could not help remarking that though they had discussed this Bill at great length, yet that neither the Government nor the leaders of the Opposition had made up their minds as to the principle upon which this important question of re-distribution of seats should be governed; but that, on the contrary, both sides seemed carefully to avoid laying down any general principle on the subject. But if the distribution of electoral power was not to be guided by any general rule, then it became a mere question of removing flagrant anomalies, and, so regarded, the danger was that instead of doing away with anomalies they would, if they agreed to such a Motion as this, increase them. As long as large boroughs like Manchester and Liverpool had only two Members, that fact was some answer to other towns of considerable importance when they complained that they had only two Members while comparatively insignificant boroughs had the same number; but by giving three Members to certain very large towns they made the anomaly more flagrant in the case of even larger towns which were still left with the same number of Members as that returned by very much smaller places. If Sheffield, for example, was to have a third Member, it would have one representative for every 80,000 of population, whilst the metropolitan borough of Marylebone would be left with one representative for every 240,000 of population, or only one-third of the representation of Sheffield, and so the change, instead of diminishing, would actually increase existing anomalies. For, why was Marylebone to be passed over? He had heard no argument which satisfied him that, on principle, Marylebone should be left with only two Members. They were told that, in such cases, they must look not only to the borough itself, but also to the surrounding district, and see how the latter was represented. Well, if he looked at the metropolis, with its 3,000,000 inhabitants, he found that if this Bill should be carried it would have twenty Members, or one Member for each 150,000 of its population. If that were so, how would the House diminish the anomaly complained of in that debate by giving Liverpool a third Member, or by giving five Members to Manchester? [An hon. Member: Manchester and Salford.] They were one place. There was no more distinction between Manchester and

Salford than between the two portions of Marylebone which were divided by the Regent's Canal—they were the same town — a stream, a very dirty one he was sorry to say, alone separated them. They had the same character of population, the same classes of industry, the same interests. He had no objection, however, to give an additional Member to each of the three towns named by the hon. Member for Liverpool; but he had an objection to give additional Members to Sheffield and Leeds. The hon. Member for Leeds spoke of the 200,000 population in that town, and said that it had no less than ten distinct manufactures. That was a very fair argument. But apply the same argument to the metropolis. The port of London was the greatest in the kingdom; London was the most important monetary city in the world; the metropolis was the seat of the Government, of the Court, and of Parliament, and setting all these considerations aside, or in addition to them all, it should be remembered that London was incomparably the greatest manufacturing place in the country. For ten distinct manufactories in Leeds there were 100 in London. He was not going into the question whether our plan of representation was a correct one; nor would he contend that it would be wise or expedient to lay down any general principle, or any inflexible rule of distinction; but he did say that if the House proceeded in the work of removing anomalies without laying down any such principle, or establishing any such rule, they ran the danger of affording persons the opportunity of saying that they were increasing instead of removing the anomalies complained of. They were told that if they did not settle the question now they would have it raised again in a short time, and that it was of the highest importance to make this Bill a durable settlement. A Reform Act, however, consisted of two very distinct portions, one of which should be touched only at rare and long intervals; but the other should be modified freely and frequently as the cirumstances of the country changed. The basis of the franchise should be fixed and stable; and it might reasonably be hoped that the present settlement would last for a century, but the distribution of seats was an entirely different question. Constituencies were always fluctuating in numbers, in wealth, in importance, some growing larger, others smaller; and they might resort to the old system of issuing the writs according to the circumstances and claims of the places to be represented; and so by a judicious fixedness in relation to the franchise, and a judicious flexibity and freedom in the distribution of the seats, a real, full, and adequate representation of the whole country in Parliament might be secured.

MR. BRIGHT: I am glad that the hon. Member for Marylebone, and I believe his Colleague, have brought the question of the borough he represents before the Committee, and I hope every metropolitan Member who thinks his constituency unrepresented will also prefer its claim for more Members to the Committee. But the question which is now before us, and from which, perhaps, it may not be wise to depart, is the proposition submitted to the Committee by the hon. Member for Liverpool, in which he proposes to give to the three boroughs which he has named an additional Member each. I regret very much that he has not added the borough of Leeds to his list, for I think it would have given very great satisfaction—I mean a greater amount of satisfaction than the additional Member would seem to be worth—if it were added to the proposition which the hon. Gentleman has made. The right hon. Gentleman the Chancellor of the Exchequer has many theories, original, perhaps, but some of them very curious, on this question of representation. The other night he turned to my hon. and learned Friend the Member for the Tower Hamlets —and an hon. Gentleman, a Scotch Member, who has spoken recently, seemed to base his arguments upon the remarks then made by the right hon. Gentleman the Chancellor of the Exchequer—and said the hon. and learned Member for the Tower Hamlets seemed to have not only an appetite for work, but a great power of work, so that he was able almost alone to bear the burden of the representation of one of the largest constituencies of the kingdom. But that is not exactly all that is wanted of Members of Parliament. What the borough of the Tower Hamlets has a right to demand, and what the boroughs of Liverpool, Manchester, Birmingham, and Leeds have a right to demand is this—not only that they should send Members to Parliament who can keep up their correspondence, and make speeches in the House in favour of their interests, and go with deputations to Ministers—they want something more than that; when their views are laid before the House, and when the time of talking is over, it is a question of how many come in at that door and how many come in at the other; and it is important that those great boroughs should have a number of Members that bears some relation to their population, and their wealth, and the greatness of their interests. Well, the Member for the Tower Hamlets could do all the debating for the Tower Hamlets; and no doubt the Members for those other boroughs, if they had only one for each of them, might do the debating for that borough. But it is a very different matter when it comes to a division. I know when my right hon. Friend the Member for Wolverhampton used to bring his great question before the House five-and-twenty years ago he did not get on any occasion, until Sir Robert Peel was converted, a Division of 100 in his favour. But at that very time all these great boroughs were in favour of Free Trade, and no doubt if they had been polled a very large majority of the whole of the United Kingdom would have been found to be in favour of it. The debating was all in favour of my right hon. Friend; but what was debating alone? The Corn Laws remained until he could carry a majority in the lobby. Therefore, I repudiate altogether the theory of the right hon. Gentleman, when he supposes that it is indifferent to a great borough whether it is represented by two Members or by more. I shall not go into figures on this matter. There is no dispute about the figures. Hon. Gentlemen probably least conversant with them know that the population of Birmingham has doubled since the time of the Reform Act. Something like that—though I do not know the exact population—has taken place with regard to Liverpool and Manchester. But we all know that if representation is to be based on population or upon wealth, those boroughs ought to have a larger number of Members than they have at present. Of that there can be no dispute. But I will turn to a question which ought to interest the House much more, and especially hon. Gentlemen opposite. Now, I ask, what has brought you to the state in which you are at this moment? Why clearly the great movement that has taken place in the great centres of population during the last year on this question. It is not anything that the counties have done as counties, or that little boroughs have done as little boroughs. The movement began in this great city, and extended to Birmingham, and to Manchester, and to Leeds, and to Glasgow, and to Edinburgh; and it was being repeated at all those great centres of population, and, if you had not capitulated this Session, the movement you have seen during the past twelve months would have been as a mere whisper compared with the hurricane you would have seen during the next twelve months. Well, if that be so, is it not worth your while now to endeavour at least to allay whatever there is of grievance to some extent in these great centres of population? I will take the borough of Birmingham. The Bill of the right hon. Gentleman will raise the constituency of Birmingham from 15,000, at least, I suppose to 35,000. The 20,000 new voters whom you are now enfranchising have never, up to this time, felt any very strong interest in the question of a re-distribution of seats. The prime grievance in their mind was this—that they were absolutely excluded from the franchise, and they thought it would be sufficient for them, in the first instance, not to inquire whether Droitwich should return half as many Members as Birmingham, but to obtain the franchise. But the moment they are enfranchised—as they will be when this Bill passes, and when my hon. Colleague and myself at the next election shall have to address, partly by voice and partly by printed addresses, 35,000 instead of 15,000 electors—those 35,000 electors will begin to think very naturally and conclusively, beyond all power of persuasion to the contrary, that two Members are not a sufficient share of power in Parliament for so great a constituency and so great a population as Birmingham. So it will be at Liverpool. This is not a question of Radical politics. My hon. Friend the Member for Liverpool and his Colleague have never been remarkable for what is called Radicalism—at least, before this Session. I want a new phraseology—I say, for the Conservative party, they have been among the most intelligent Members of it in this House. But those two Members at this moment are supported, I believe unanimously, by all those who voted for them at the last election, as they are undoubtedly by all that large party by which they were opposed. You have the very same state of things in Manchester. The hon. and learned Member for Manchester made a slip the other night here. In fact, he had not brought his brief with him, and he really had forgotten altogether what were the opinions of his constituents. I do not believe the hon. and learned Gentleman will get up to-night and say the people of Manchester do not wish to have an additional Member. If he does, I venture to say beforehand that he is entirely mistaken, and that the time will come when his constituents will show him that he is mistaken. Well, then, this is not a question of this side or of that particular party in the boroughs. But if you refuse to give these boroughs any additional Member or Members, you will find the whole population of them convinced that you have not dealt fairly towards them, and in a very short time, probably in the very next Session of Parliament, you will have a proposition submitted to the House to the effect that some of the smallest boroughs should be extinguished, and their Members carried to larger boroughs. I put this, then, to the Chancellor of the Exchequer, who can have no interest whatever in settling this matter unwisely, is it worth while for the sake of three or four or five Members that are now asked to be given, one each, to these boroughs—I think they should have two—is it wise to refuse their most moderate demand, they being the very centres of the agitation which has brought you to this measure this Session, and there being left by this Bill, as it now stands, a very great grievance and an increased constituency to complain of it?—and when as every man knows—I will not argue the question, it must come home to every one's mind—if the present moderate demand be not granted within a very short period, a fresh demand will come, which, I venture to say, will not be limited to the proposition of the hon. Member for Liverpool, but will be of a more extensive character; and, as in all past times when most moderate propositions were refused, you will probably be glad to capitulate and accept wider propositions. I sometimes hear Members objecting to three Members for one constituency; I cannot understand the objection: take any one of the boroughs which have only one Member—the borough of Rochdale, for instance, in which I live—take the borough of Manchester, or the borough of Liverpool, which have two Members—take the Southern Division of Lancashire, which has three—take the City of London, which has four; there is no difficulty in this. In our Southern Division of Lancashire we have contests, and we put up three candidates on one side and three on the other. On one occasion the party opposite carried their three candidates, and upon another occasion two. The City of London years ago had a Conservative party that returned one Member for many years. Now, their views have got so obsolete in the City—I mean their old views—that they cannot put a man in the least position on the poll, and all the four Members sit on this side of the House. Whether you give one, two, three, or four Members, a constituency can manage the whole matter of their election without the slightest difficulty. Therefore, if you give three Members to Birmingham, three to Liverpool, three to Manchester, and three to Leeds, I have no doubt those constituencies will be able to send men to this House who will do them at least as little discredit as the present representatives. I said I would not talk of figures, neither will I talk of wealth; but I put it to the Committee in this way: You are asked to do something now—the smallest thing that can be asked — to satisfy a fair demand of the most powerful centres of population in the kingdom; from all these counties came all the force which had induced Parliament to pass this Bill; if you refuse this small measure of justice, there will remain not only that force but an increased force; and in a very short time that force will come to the floor of this House, and no doubt it will be obeyed. I am not now speaking in opposition to the Government, to this Bill, or to the policy of Gentlemen opposite; but I am laying before them a reasonable and just proposition—or rather just arguments in favour of a reasonable proposition—and I leave the decision to the common sense of Gentlemen opposite and to the wisdom of the Chancellor of the Exchequer and his Colleagues. I do think if they will look on it a little in the light I have endeavoured to place it before them, there will be no real opposition to the Motion of the hon. Member for Liverpool.

MR. BEECROFT said, he much regretted that the hon. Member for Liverpool had not included within the scope of his Motion the borough of Leeds, the capital of the great county of York. It was perfectly true that on the former occasion he had voted against the Amendment of the hon. Member for Wick; but at that time a very critical division was impending, and he did not wish the Bill to be imperilled. His vote had been given with an honest desire that the Bill should pass this Session, and that the time of Parliament should be no longer frittered away, as it had been, with Reform discussions impeding all legislation. He did not vote against Leeds *per se*; and if that borough came again upon the carpet he should certainly divide in favour of its receiving an additional Member, to which it was as fully entitled as any other borough in the kingdom.

Mr. BAINES said, he had to regret the absence of his hon. Friend the senior Member for Birmingham (Mr. Scholefield) from the House owing to indisposition, as that hon. Gentleman had given notice of his intention to move an Amendment on the Motion of the hon. Member for Liverpool, which would have the effect of including the borough of Leeds along with the other three boroughs to receive an additional Member. His Motion would have been to amend the words "250,000 inhabitants," by omitting the words "and fifty," thus leaving the line of population drawn by the clause at 200,000. He appealed to the Chancellor of the Exchequer to accept that Amendment, reminding him that the clause of the hon. Member for Wick (Mr. Laing), which was to give a third Member to the six large boroughs having a population exceeding 150,000, was only lost by the trifling majority of eight in one of the fullest Houses of the Session. It was contrary to the rules of the House to renew, in the same Session, a Motion once rejected; but his hon. Friend would not be violating that rule if he drew the line of population at 200,000; and this was therefore the object of the present Amendment. He (Mr. Baines) was confident that if the four boroughs of Liverpool, Manchester, Birmingham, and Leeds did not receive each an additional Member, the re-distribution part of the Bill would be considered altogether unsatisfactory, and the acceptance of the measure by the country would be endangered. On the rejection of the Motion of the hon. Member for Wick, public meetings had been held in all the towns included in the present clause, and at those meetings the claims of the respective places to additional representation were warmly and unanimously expressed. He advocated the cause of all those boroughs, and for the borough which he had the honour to represent he might say that it possessed every recommendation for a larger share of electoral power. Its population at the Census of 1861 was 207,000; it was now 232,000, and it would soon be 250,000. The Committee would perhaps be surprised to learn that that population exceeded the aggregate population of thirty-eight of the smaller boroughs of the kingdom, which were now represented by no less than sixty-one Members. Was it possible that so flagrant a disproportion could be allowed to continue? The Chancellor of the Exchequer had referred to the population of the counties, as showing no less a disproportion with the small boroughs than was shown by the large boroughs. But the case of Leeds did not suffer when compared even with the counties. There were in England seventy counties and electoral divisions of counties; and of those not less than sixty had a smaller population respectively than the borough of Leeds. There were only ten counties and county divisions possessing as many inhabitants as that borough. He had, on a former occasion, adduced the great number and variety of the industries carried on in Leeds, as a ground for additional representation; and that was a very strong ground, inasmuch as periods arose when each branch of manufacture might have special interests to present for the consideration of Parliament, and it would be difficult for two Members to do justice to the whole. There were no less than ten or twelve distinct branches of manufacturing industry in Leeds. But his borough had not merely great manufactures of its own, it was also the mart and commercial capital of the vast clothing district of the West Riding of Yorkshire; and it was not only Leeds, but Yorkshire, which claimed a representation somewhat more adequate to its wants in that House. He would only offer one further reason for bestowing upon Leeds a third Member, which consisted in the very large area of the borough, covering no less than thirty-three square miles or 23,000 acres. This large extent necessarily added to the duties of a representative. There were only nine boroughs in England possessing an equal area, and the aggregate population of all the nine did not amount to half the population of Leeds. Indeed, the combined area of the three boroughs of Liverpool, Manchester, and Birmingham, included in the Resolution of the hon. Member for Liverpool, was considerably less than the area of Leeds alone. Thus there was a combination of circumstances which he confidently presented to the right hon. Gentleman, as making out an irresistible case for the claim of Leeds to an enlarged representation; and, in conclusion, he would repeat his conviction that unless that claim was granted, it would be impossible for the measure of the Government to give satisfaction.

The CHANCELLOR of the EXCHEQUER: I have so recently expressed my opinion upon this subject, indeed, I have so frequently on analogous subjects troubled the House with my views upon it, that I feel I ought to ask the permission of the

Committee before I repeat them. I agree with what has been said by my right hon. Friend the Member for Staffordshire (Mr. Adderley), that we must not forget, in considering our representative system that we are sent here pre-eminently to represent localities and opinions. The hon. Member for Birmingham says it is very well for one or two men to represent localities and opinions, but that when we go into the lobby we want representation more proportionate to the population, industry, and prosperity of the place. But I would remind the hon. Gentleman that the influence of the town which he represents is not to be meted by the votes of the two Members who are its representatives in this House. Everybody knows very well that if questions arise in which the interests of Birmingham, or Manchester, or Leeds are concerned, it is not merely the two Members who represent the particular boroughs here, who are prepared to endorse their interests, advocate their claims, and exercise over the decision and opinion of the House a proportionate power; and so it is with the metropolis. The metropolis will now be represented by twenty Members; but we know very well that if a great question arises which actually concerns the interests of the metropolis, its power in this House is not to be measured merely by the twenty who represent it. We know that forty, sixty, eighty Members, or many more will be prepared to act as if they had been returned from the same polling-booth as the avowed representatives in this House, as if they were directly responsible to the constituencies of the city or the borough of Marylebone. The hon. and learned Member (Mr. T. Chambers) says it is very important that we should finally decide on the principle on which the representative system of the country is to be established. I should be very sorry to do so; because I am sure that, if we do so, we shall arrive at results which will greatly disappoint the people of this country. Our ancient system of representation, which has endured so long, and is so various and so complete, has been, of course, the result in a great degree of accident, partly of contrivance, and still more of the genius of the country acting on events that have developed themselves in the history of an ancient nation; and the legislative machinery which it has produced has adapted itself as time has gone on, and as the circumstances of the country have changed, so that even this borough representation, which never was intended, as we all know, to represent the various interests of an Empire such as Great Britain has become, has still, in a great measure, adequately and powerfully represented the variety of its interests, which no formal preparation could have contemplated. It has adapted itself to those various interests; and when we tamper with it and curtail its dimensions—still more when we attempt to destroy it—we are bound to see that we supply other machinery adequate to the great Imperial uses which it has served. In considering this question of re-distribution of seats, we have had placed before us a certain number of seats, and we had to recommend to the House the mode in which we think on the whole it most conducive to the public interest, and to the general satisfaction of the country, in which that distribution shall take place. We have recommended in the plan that we have laid before the House that out of the forty-five seats twenty-five should be given to counties, nineteen to boroughs, and one to a University. The House was perfectly prepared, public opinion generally was perfectly prepared, that that considerable proportion which we have no doubt proposed with reference to the counties should be made. Protracted discussions, and the admissions of leading men on both sides—the result of the facts with which we are now familiar—had rendered public opinion general that the principles of political justice required, in a re-distribution of the seats, that the population of the counties should be more largely and more directly represented. Nothing shall tempt me to trouble the House any further with statistical details on this subject, especially after the experience which we may profit by of the interesting narrative of the hon. Member for Leeds in favour of the town of which he is most certainly an able representative. But there is no doubt that a majority of the people of this country do not live in Parliamentary boroughs, and that they are represented by a very small number of Members. No answer has ever yet been given to that, although the right hon. Gentleman started a new reason as regarded the inadequate distribution in regard to counties; for he said that the fallacy of my statement consisted in this, that I took no consideration of the number of constituencies, or of the character and number of the qualifications in these constituencies, though these are the elements we ought to consider, and not mere population. I was surprised that the right hon. Gentleman enforced that view, because it appeared to me to lead to a train of observations fatal to his conclusions. If we take the numbers of the present constituencies, the number in the counties is larger than the constituencies of the boroughs. If we look to the qualifications the lowest qualification belongs to the county constituencies, and not to the boroughs. Therefore, even in the view of the right hon. Member for South Lancashire, there is nothing that can mitigate the injustice of more than half the population of the country being represented by 160 Members, and the smaller body being represented by double that number. When I hear Gentlemen opposite every night —as the hon. Member for the City has done within the last twenty minutes—talk of the necessity of having a hard line between the county and borough population, I can only say, are you prepared to change the relative positions of the two populations? If the boroughs were represented by 162 Members would you be satisfied if I got up and said, "Never mind that, I am against hard lines between borough and county populations; be satisfied that virtually you have the same sympathies and interests, and though you are only represented by half the number, while you have a larger population, the identity of sentiment and of interest as Englishmen renders you exactly in the same position as we are?" That I am sure would not be for a moment submitted to. I have not heard in the course of these discussions of any one who challenged the propriety of the sound policy of the general amount of the re-distribution which we have proposed. I do not wish to bind the House to details, by which we have determined to increase the representation of the counties; but I come to the question as to the boroughs. My opinion is that the plan of the Government was and is founded on sound principles, and that, in the arrangements that have been made, there has not for a moment been the slightest consideration of party interests. I repeat that, and I defy any one to show anything of the kind. As to the absurd allegation that we have taken large towns out of counties, and, by giving them representation, have increased the county representation, if large communities have arisen in counties with distinctive interests requiring representation how could we give the representation in any other way? If after that there still exists a larger amount of population in the counties than in the Parliamentary boroughs, what could we do more justly than increase the representation of the counties? These are sound principles, which I am sure will be acted upon by both sides, and, as far as party interests are concerned, any petty arrangement of that kind, which we really despise, and which we believe always ends in failure, and often in absurd contrasts eventually to the intentions contemplated, has never been contemplated by us. What have we done with respect to the nineteen boroughs? We have endeavoured as much as possible to distribute the representation over the country, particularly in the North, where considerable towns have arisen since the settlement of 1832. In settling the question of increased representation as regards boroughs, we have acted upon distribution and division, even in boroughs as well as counties, whenever an opportunity offered. The hon. Member for Wick brought forward a considerable Motion the other day, and, as it appeared on the Paper, no one could doubt the object of it was to strike at the scheme we proposed. The hon. Member began by increasing the representation of a certain number of great towns; he proposed to group other boroughs, and then to add greatly to the representation of the counties, almost, if not quite as much, as we did, but on a principle which we believed would lead only to imperfect representation. We were, therefore, totally opposed to that plan, and it is one we could not have accepted under any circumstances. The merits of the scheme the Committee were not called upon to decide, because on the first portion of it there was a majority, though not a considerable majority, against the proposition of the hon. Member for Wick.

The principle of accumulating representatives for places, counties or boroughs, I believe to be a wrong principle for the reason which my right hon. Friend near me has stated, and to which I have often referred in this House. If I saw any prospect of building up our system of representation on that principle, I should augur the very worst results for the character of this House. But so far as the distribution of those new boroughs is concerned, I perfectly agree that if you bring forward a great measure like the present, which is not brought forward as a party question — which never would have been advanced to its present position without the assistance of both sides — you must meet all these questions in a spirit of compromise and of mutual concession. I freely admit that if we can meet those claims in a way that will not affect the arrangement we have made to give a more adequate, though not a complete, representation to counties—if we can, by a re-arrangement of the plan on the table with respect to boroughs, meet the views of hon. Gentlemen opposite, and my hon. Friend the Member for Liverpool, I am perfectly ready, on the part of Her Majesty's Government, to waive any objection we may have as to the principle by which the number of representatives for the whole of England may be determined. I believe there is not the slightest danger of that principle being carried to that excess which he thinks erroneous and perilous; and I am willing to admit that it is only by a spirit of compromise that we can carry this measure to a successful conclusion. I shall be prepared on the part of the Government, if my proposition is accepted in the same spirit, to accede to the Motion of my hon. Friend the Member for Liverpool, reserving to myself, on the part of the Government, the necessary right of remodelling the Schedules so far as the intended necessary borough representation is concerned. With regard to what fell from the hon. Member for Marylebone, who to-night has enforced a great increase of the representation of the metropolis, and has founded his claim on the plea of the hon. Member for Liverpool, I beg to remind him that there is an increase in the representation of the metropolis by the Schedules in the table to the amount of four Members. I am not prepared to offer any plan for distributing those seats, or settling the representation in any single principle of universal application or practice; and, feeling that all our arrangements must be of the character of compromise, I must say that the metropolis has no cause to complain of the general arrangements we have made. So much with regard to the three additional Members to Birmingham, Manchester, and Liverpool.

Now, although it would have been sufficient for me before I sat down to have expressed on the part of the Government our wish to meet the claims embodied in the Motion before the House, I must say that, considering the noble rivalry which exists between the industries of Yorkshire and Lancashire, I think it would be most unwise of us to confer an increase of representation on the two great cities of Lancashire, and not to acknowledge the claim of the great city of the rival industry—I mean Leeds. I shall therefore, on the part of the Government, be prepared, at the fitting time, to make such changes in the Schedule as would give an additional representative to each of these four constituencies. But I wish it to be distinctly understood that Her Majesty's Government are only prepared to give that increase of representation to those places by remodelling the Schedules upon the table; and I must add that if Manchester is to have three Members, Salford must be content with one, while the additional seats for the three other cities must be withheld from those boroughs whose claims for increased representation we should otherwise have recommended to the House for favourable consideration—for those are the only sources at our disposal for achieving that end. We make this offer to the Committee on the part of the Government in the spirit of compromise, in the spirit of mutual and reciprocal concession; and we do it with the sincere hope that we shall by this means advance and expedite the cause of the great measure now under our consideration.

GENERAL PEEL: I voted against this proposal when it was brought forward by the hon. Member for Wick, and I shall vote against it now that it is brought forward by my hon. Friend the Member for Liverpool. I opposed it when brought forward by the Member for Wick from no party motive; for I have no intention of sharing in the responsibility which will attach to, or being included in the censure which will be passed hereafter on, the great Conservative party for their conduct in regard to this Reform Bill. If I admitted the correctness of the principle on which you have established the franchise, I should be prepared to go much further than you do with respect to the re-distribution of seats; for there was not a single argument brought forward in support of the franchise that would not apply with equal force to the formation of electoral districts. My right hon. Friend the Member for Oxfordshire took strong exception to the franchise being called "household suffrage pure and simple;" and although the only reason he gave at the time was, that it was such a "mouthful," I was sure that he had other objections. I can easily imagine his having a conscientious scruple to its being called "pure;" but its "simplicity" is equalled only I think by that of the hon. Members who sit around him, who are prepared to accept it as a great Conservative measure. I am afraid when they have swallowed the camel they will find it very difficult to digest. How long do those hon. Gentlemen think this re-distribution of seats will last with household suffrage? I predicted—it was hardly a prediction, for it was fulfilled almost as soon as uttered—that the securities you relied upon would be swept away; and I now predict, with equal confidence, that this re-distribution of seats will not last through the next Parliament. Whether the proposition for overthrowing it will come from those who now hold office or from those who sit on the Benches opposite I cannot say; but of this I am certain, that this re-distribution of seats can never exist with household suffrage. What are the principles upon which you established this household suffrage? It was to prevent the establishment of any "hard and fast line"—a mouthful we are indebted to my right hon. Friend the Member for Oxfordshire himself for—but what line can there be established so hard or so fast as the boundary line of your boroughs. How long do you think that those who live just outside the boundaries will be content to see the "residuum and migratory paupers"—recollect this is your description and not mine of a portion of the new constituency you are about to form—possessing three votes, whilst they have none? Depend upon it, this will not last. The right hon. Gentleman the Member for South Lancashire very emphatically reminded the Chancellor of the Exchequer that this Bill is no longer the Bill of the Government. Upon my word I do not know whose Bill it is. As the word "compound" is no longer required for the householder, we may as well attach it to the Bill, for it is "compounded" of every Amendment that has been proposed to the House. I, for one, am not prepared to share in the responsibility of passing it, and shall vote against the third reading of it. There are three things which I have—I will not say learnt during the progress of this Bill, but with respect to which my preceding opinions have been confirmed: the first is, that nothing has so slight a vitality as a "vital point;" the second that there is nothing so insecure as "securities;" and the third that there is nothing so elastic as the conscience of a Cabinet Minister.

Mr. GLADSTONE: I do not think it is my duty to follow and to comment upon the remarks which have just been offered to the Committee by the right hon. and gallant Member opposite. His position and ours are very different, seeing that he entertains a conscientious objection to the body and substance of this Bill. The body of this Bill, as I ventured to state the other night to the Chancellor of the Exchequer, has become such that, as far as I am able to form a judgment, the opinion of the great majority of this House is that it is a matter of vital importance to the public interest that this Bill should pass as soon as possible. Under these circumstances, the measure assumes a character and an aspect which would justify me in saying that its progress no longer depends upon the influence of the Executive Government so much as upon the desire of the House. It is, therefore, not for me to make any proposal which might have the effect of delaying a consummation which I think, for the public interest, ought to be arrived at as shortly as possible, but I am obliged to say a few words to prevent any misunderstanding. After the speech of the Chancellor of the Exchequer, I cannot but help contrasting it with that of the right hon. Gentleman the Member for North Staffordshire, in which he announced that the proposal of the hon. Member for Liverpool was a portentous innovation, which would inevitably lead to a total subversion of the representative system of this country. It is not, however, necessary for me to occupy the time of the Committee by any argument upon that point after the acceptance of the hon. Member's Motion by the Chancellor of the Exchequer on the part of the Government, coupled with his gracious compliment of making a similar concession on behalf of the borough of Leeds. There were, however, words used by the right hon. Gentleman that, for fear of some misunderstanding, I cannot pass without some observation. It is unnecessary for me to follow the right hon. Gentleman through his argument respecting the controversy between the boroughs and the counties, beyond disclaiming entirely the representation he gave of my statement, and for this reason, that we are not to-night involved in a controversy between the representation of the counties and the towns. The right hon. Gentleman tells us that in order to obtain the seats necessary to carry out his concession he shall be compelled to take them from those boroughs to whom additional seats were to have been given. But it is not from the counties that we should propose to obtain those seats—the question lies between the representation, not of counties and of boroughs, but between different classes of towns. The Chancellor of the Exchequer says that this concession is made in a spirit of compromise; but were not the propositions of the hon. Member for Wick and the hon. and learned Member for Portsmouth also put forth in a spirit of compromise? The Motion of the latter was most moderate; his proposition would have taken the number of seats required from the smaller boroughs to the number proposed by the Bill of last year, within one. I do not think that the Chancellor of the Exchequer has even yet taken a broad view of the question; because, as was said by the right hon. and gallant Member opposite (General Peel), with so large an extension of the suffrage, the re-distribution should have been correspondingly extended. On an occasion like the present, when the Chancellor of the Exchequer has kindly offered us a boon, it really seems invidious to do anything else than to accept the proffer with thankfulness, and to let the morrow shift for itself. I should have been prepared to have so acted, had it not been for the fair and candid, but explicit manner in which the Chancellor of the Exchequer explained that he should be compelled to take the seats he gave to these four large towns from other large towns, that he would not meddle with small towns of 2,000, 3,000, or 4,000 inhabitants, or even with towns of 10,000 and 11,000; for he distinctly intimated that no more was to be had from that source, but that the means of satisfying the demand of the hon. Member for Liverpool must be found in a modification of the Schedules—that is, in withdrawing Members which he had proposed to confer on boroughs having a population of 20,000, 30,000, and 40,000. It would not be candid to allow that statement to pass without saying that I, for one, am convinced that no such arrangement can be satisfactory. I earnestly trust that when the right hon. Gentleman proceeds to carry out his concession, so satisfactory in itself, by a reconsideration of the Schedules, that he will propose some enlargement of the number of disposable seats.

Mr. NEVILLE-GRENVILLE said, he hoped the Chancellor of the Exchequer would so re-model the Schedules that the great towns in the North of England would not monopolize the whole of the representation. Bristol, it should be remembered, was little inferior in wealth, importance, and variety of interests to any other city having the same number of Members, and certainly should be among those having three.

Mr. H. BERKELEY said, he also hoped that the claims of Bristol would not be overlooked.

Mr. CRAWFORD said, he wished to ask the hon. Member for Maldon what he intended doing with regard to his Amendment proposing to reduce the Members for London to two?

Mr. SANDFORD said, that he had been taken by surprise by the decision the Government had come to, and was in a position of considerable difficulty. The right hon. Member for Staffordshire occupied the position of what was commonly known as "a nine-pin;" he seemed to have been put up in order that he might be bowled over. He would, however, be happy to withdraw his Amendment if it would be more pleasing to the Committee for him to do so.

Mr. BAZLEY said, he wished to thank the Chancellor of the Exchequer in behalf of his constituency; but entreated him not to revoke his promise of an additional Member for Salford, in redeeming his promise of a third Member for Manchester, as the interests of the two places were quite distinct.

Mr. Serjeant GASELEE said, he regretted that the Chancellor of the Exchequer had put up a Cabinet Minister to denounce a proposal which he conceded at the last moment. It might be characterized as an act of conciliation, but he (Mr. Serjeant Gaselee) did not accept it as such, and he was prepared to vote against it. In his opinion, the re-distribution scheme of the Government, bad as it was, had been made worse by the sudden giving way of the right hon. Gentleman, and he believed that in a Reformed Parliament it would not last a month. But as the right hon. Gentleman had yielded on the proposal of the hon. Member for Wick, he trusted that he would also give way on his. He hoped that the right hon. Gentleman, after consulting with his Colleagues, would accept that latter most moderate suggestion—namely, to disfranchise all boroughs with less than 5,000 inhabitants. He brought it forward, not because he thought it was a measure which ought to be carried, but because he considered it was the only measure which, considering the temper of the House, had any chance of success. He warned the Government that if they did not take his advice, the new House, instead of being content to draw the line at 5,000 and 10,000, would not stop at 10,000, or even at 20,000.

Mr. CHEETHAM said, he much regretted that the right hon. Gentleman the Chancellor of the Exchequer, after having inserted the borough which he represented among those that were to get another Member, should now take that Member away and give him to Manchester. He begged to give notice that he should oppose this part of the scheme.

Mr. LAING said, he wished to ask the Chancellor of the Exchequer, whether he would be prepared to-morrow, when the next clause came on, to state specifically the means by which he proposed to get the four seats he had now given to the boroughs? The Committee could then decide between his proposal to group certain boroughs, and the Chancellor of the Exchequer's proposal to deprive certain boroughs of an additional Member.

Mr. HORSFALL said, that after what had fallen from the Chancellor of the Exchequer, he would not put the Committee to the trouble of dividing. He would withdraw the clause. ["No, no!"]

Mr. GLADSTONE said, it was desirable to know what further direction the discussion would take. The Committee was very much in the hands of Her Majesty's Government. If the Government would produce a clause by which could be determined the whole question of enfranchisement of large towns, he should not object to the withdrawal of the clause.

The CHANCELLOR of the EXCHEQUER: The course which I shall take will be to put in the most practical and business-like shape some proviso that will secure this additional representation to the four large towns; but I cannot at this moment say how I shall do it.

Mr. GLADSTONE: I do not see what other answer the right hon. Gentleman could give. But the right hon. Gentleman might be able to mention to-morrow in what way he proposes to make provision for the additional seats.

The CHANCELLOR of the EXCHEQUER: It does not appear to me that the question would naturally come on to-morrow.

Colonel GILPIN said, that the right hon. Gentleman the Member for South Lancashire had requested that the amended list of boroughs might be produced; but there had been no return at present of the area of population, and until this was done it would not be advisable to determine which boroughs should be omitted from the Schedule.

Mr. BAINES said, he thought the object of the hon. Member for Liverpool would be obtained by adding Leeds, and he proposed to leave out the number fifty, which would include that borough.

The CHANCELLOR of the EXCHEQUER: The best plan will be to read the clause a second time, and then to report Progress.

Motion made, and Question put, "That the said Clause be now read a second time."

The Committee *divided*:—Ayes 297; Noes 63: Majority 234.

Viscount CRANBORNE: I wish to ask whether there is any chance of our hearing to-morrow at two o'clock what are the proposals which the right hon. Gentleman intends to submit with respect to the disfranchisement of boroughs to supply seats to the large towns?

The CHANCELLOR of the EXCHEQUER: We do not propose to disfranchise any borough.

Viscount CRANBORNE: I must put my question in another form. Will the right hon. Gentleman be prepared at two o'clock to-morrow, when we meet again, to state the manner in which he proposes to find the four additional Members?

The CHANCELLOR of the EXCHEQUER: I shall be prepared at two o'clock to-morrow to proceed with the Reform Bill.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

SUPPLY—THE VOLUNTEERS.

Report [13th June.]

Postponed Resolution *considered.*

Mr. ACLAND said, he wished to call attention to the inadequacy of the allowance of 4*s.* per man for scattered corps attending the battalion drill which was required to qualify them for the capitation grant. He pointed out the expense involved in attending battalion drills and inspections, the special hardship of refusing any grant on account of head-quarter companies, which might travel as much as any others, and the expediency of granting a travelling allowance specially for brigade field days. He gave instances of the operation of the present system, and contrasted the £2 per annum for clothing and saddlery, and the £2 16*s.* for eight days' subsistence of man and horse allowed to the Yeomanry with the 20*s.* allowed to the Volunteers for all equipments, ranges, and orderly room and 4*s.* for travelling expenses. The consequence was that on the captains were thrown heavy personal expenses, to the amount of £40 or £50, to enable their men to perform their duty, and it was not to be wondered at that captains were flocking out of the force.

He did not press the Government for an immediate answer, nor did he ask for a large increase of the capitation grant, but he hoped they would consider the question.

LORD ELCHO said, he hoped that the Secretary of State for War would re-consider the answer he gave a short time since; and he trusted that the right hon. Gentleman might propose some increase of the present allowance. He hoped that the right hon. Gentleman would not take a less favourable view of this corps than his right hon. and gallant Predecessor (General Peel), who had first brought out the Volunteer corps.

SIR LAWRENCE PALK said, that the efficiency of the Volunteer force depended in a great measure upon the grant in question, and he hoped the representations made to the Government would receive careful and favourable consideration. No force of similar character could be raised in the country on such easy terms; but its efficiency depended very much upon emulation, and that must be nurtured by public and private bounty. The Volunteer force had produced a powerful moral effect at a great political crisis, and no more suitable force could be desired to whom to commit the liberties and safety of the country.

MR. W. E. FORSTER said, that the burden of maintaining the Volunteer force now pressed heavily on commanding officers, and it was hardly right that the country should rely upon them to bear this expense. He rose simply to ask the right hon. Gentleman the Secretary for War, whether he could tell the House what would be done respecting the instructions to Volunteers?

MR. DILLWYN said, he agreed with his hon. Friend that if the Government wished for the continuance of the force they must give it further assistance.

MR. WHALLEY said, he did not think the Government paid sufficient attention to the requirements of the Volunteer force; and he would particularly draw attention to the claim of the engineer corps, which he trusted would be favourably considered.

MR. SELWYN said, he thought it would be well if the Volunteers and regulars could be drilled more frequently together. The Volunteers would have much to learn from the regulars, while, on the other hand, the officers of regulars would gain experience in the command of a larger body of troops than could otherwise be brought together, and also in the command of more or less irregular forces, who in actual service were frequently massed with the regulars.

SIR JOHN PAKINGTON said, that the insufficient travelling allowance now made to the Volunteers was one of the subjects touched upon in the memorandum. It was proposed that, instead of a fixed payment of 4*s.* per man for the purpose of attending battalion drill, there should be a graduated scale of mileage allowance. He thought that proposal well worthy of consideration; and he wished to state that it was quite irrespective of an increase in the capitation grant. It should receive early consideration, and he hoped that on that point, at least, he should be able to meet the views of the Volunteer officers. He did not yield to any one in his sincere desire to encourage the noble Volunteer movement, nor in the deep regret he should feel if any circumstance, pecuniary or otherwise, should lead any considerable number of Volunteer officers to withdraw from the force. He assumed that the reason his answer to his noble Friend on a former occasion was thought unsatisfactory arose from his disinclination to enter into any engagement respecting the increase of the capitation grant. What he said was that it would be impossible, after the Estimates for the current year had been presented, to give a hasty decision on this point, involving an increased expenditure of £150,000 a year, without the full concurrence of his Colleagues. That answer he must repeat, and he could not now enter into any engagement without consulting his Colleagues. With regard to the modification of the Volunteer regulations, as to co-operation with the civil power, he had that morning been considering them, in order to meet the particular objections urged against them. He was not now prepared to enter into any definite engagement on the subject, but he hoped to make such changes as would be satisfactory, and his decision would certainly be communicated to the House before the close of the Session. He agreed with his hon. and learned Friend the Member for the University of Cambridge that the plan of drilling the Volunteers and regulars together would be most advantageous wherever it could be carried out, but it was very much a question of convenience and locality. Last year a large body of Volunteers and regulars were drilled together in Devon, and militia regiments had been quartered at Aldershot and drilled with regular troops with mutual advantage. The case of the engineers would come under his consideration along with that of the rest of the Volunteers.

Resolution *agreed to.*

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL—[Bill 39.]

(*Mr. Henry B. Sheridan, Sir Patrick O'Brien.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. H. B. Sheridan.*)

Mr. PAULL said, he objected to proceeding with the Bill at so late an hour (a quarter past one o'clock).

Mr. H. B. SHERIDAN said, he had received a letter from Captain Tyler approving the Bill. It had been fully discussed on a previous stage, and he must therefore persist in carrying the Bill through its last stage.

Mr. VANCE said, he was in favour of the Bill, but he should divide against proceeding with it on the present occasion, on the principle that opposed business ought not to be taken at so late an hour.

Mr. Serjeant GASELEE moved that the Bill be read a third time that day three months.

Mr. DILLWYN seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Serjeant Gaselee.*)

Mr. PAULL said, that on many lines trains succeeded each other at intervals of three and four minutes. Timid people would stop the trains if a means of communication existed, and thus a new source of railway collisions would be provided. There was the more need of caution, as no "ready and effectual" means of communication had been shown to exist, and the words had been struck out of the Bill. He understood that the railway directors were opposed to the measure, and he trusted that the House would carry the Amendment.

Mr. DARBY GRIFFITH said, he would recommend the hon. Member for Dudley to consent to the postponement. It was clear from the appearance of the House that in a little time it would be counted out.

Question put, "That the word 'now' stand part of the Question."

Sir John Pakington

The House *divided* :—Ayes 43; Noes 5: Majority 38.

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, July 2, 1867.

MINUTES.]—Public Bills—*First Reading*—Railways (Guards' and Passengers' Communication) * (197); Edinburgh Provisional Order Confirmation * (198).

Second Reading—Merchant Shipping (180); Adjutants of Volunteers * (192).

Committee—Salmon Fishery (Ireland) Act Amendment * (199).

Report—Limerick Harbour (Composition of Debt)* (138); Consecration and Ordination Fees * (193); Court of Chancery (Officers) * (194).

Third Reading—County Treasurers (Ireland) * (149); Court of Chancery (Ireland) * (172), and *passed.*

MOLDAVIA—PERSECUTION OF JEWS.

EXPLANATION.

Lord DENMAN, referring to the debate on this subject last evening, called attention to certain mistakes into which the noble Viscount (Viscount Stratford de Redcliffe) who had introduced the subject had fallen, or was reported to have fallen, in quoting from the Treaty of 1858 in reference to the Protectorate of the Danubian Principalities with France. The noble Viscount read a portion of the Treaty in the original French in support of his statement, and gave it as his opinion that among the Papers presented to their Lordships on the subject a right version of the Treaty should have been included, so that they might not have to accept one on the authority of the noble Viscount, which might be apt to prejudice their minds.

SALE OF LAND BY AUCTION BILL—(No. 184).—(*The Lord St. Leonards.*)

Commons' Reasons for disagreeing to the Amendments made by the Lords to the Amendments made by the Commons *considered* (according to Order): Then it was *moved* to insist on the Amendments to which the Commons disagree.

On Question, whether to insist? their Lordships *divided* :—Contents 9; Not-Contents 50: Majority 41.

Resolved in the *Negative;* and a Message sent to the Commons to acquaint them therewith.

MERCHANT SHIPPING BILL—(No. 180.)

(*The Duke of Richmond.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Duke of RICHMOND, in moving that the Bill be now read the second time, said, it affected such a numerous class of Her Majesty's subjects that he should feel it right to offer a few observations with regard to it in asking their Lordships to give a second reading to the measure. The Mercantile Marine of this country consisted of no less than 41,000 vessels, with a tonnage of 7,302,000 tons, employing upwards of 350,000 seamen. The discipline of this great navy was, to a certain extent, dealt with by the Merchant Shipping Act, 1854, which provided, among other things, for the measurement of ships, the engagement and discharge of seamen, their accommodation on board ship, and various other matters connected with the Mercantile Marine of the country. It was not astonishing that, after the lapse of thirteen years, certain defects in that Act should have come to light, rendering necessary the introduction of the present measure, which proposed to deal with the following among other points:—Change in the name of the ship, survey of ships, provisions relating to the health and accommodation of seamen, the prevention of scurvy, medical examination of seamen, and other trifling matters with which it was not necessary to trouble their Lordships. The law, as now existing with regard to the first of these points, was frequently evaded by the colourable sale of a ship to a foreigner, and subsequent colourable re-purchase by an Englishman, whereupon a different name was given to the ship. Without troubling the House with any lengthened details, he might state that a provision contained in the Bill would render very difficult any such transaction in future as the conversion of a British merchant vessel into a foreign ship of war. A remarkable instance of what could be done in the way of change of name was afforded by the case of a British merchant vessel, variously called the *Adeline* and the *Beatrice*, then the Confederate cruiser *Rappahannock*, and finally the British merchant ship *Scylla*. Her career began as Her Majesty's ship *Victor*, in which capacity she formed one of some old wooden vessels that were sold off; and in the course of a few weeks following the sale she underwent all these rapid changes. He proposed to meet such cases in future by the simple enactment that when a British ship was sold to a foreign merchant and re-purchased by the British owner, the vessel should be registered in the same name which she bore prior to the sale. The next point—one of the most important in the Bill—was that which proposed to deal with the dreadful disease called scurvy, the scourge of the Mercantile Marine. The Papers presented to the House of Commons showed that the disease had extended in the most alarming manner, and it was one of the points which reflected least credit on the regulations hitherto governing the Mercantile Marine of England, that the disease was one hardly known in the Royal Navy, and almost unknown among the navies of foreign countries. The magnitude of the evil was admitted by all, and the remedy was easy of application. Shipowners who really had the welfare of their crews at heart were most desirous of getting a proper supply of pure limejuice, as this, with fresh vegetables in proper quantities, was the best cure for scurvy. The Merchant Shipping Act of 1854 required that limejuice should be served out, but no penalty attached to selling an inferior article. In consequence, ships put to sea with what served as good limejuice for a time; but when most needed it was in many cases found to be bad and so noxious that it was absolutely impossible to get men to take it, and the disease in those cases had its way. It was therefore proposed to mix the limejuice in bond with a certain quantity of spirits, and pack it in special bottles for safe keeping during a voyage; and the Bill also provided for the limejuice being duly and properly served out to the men. Other provisions of the Bill related to the sleeping and other accommodation of the men on board merchant vessels. The present law required that shipowners should provide a certain amount of space for their men; but although the space was given, it was found that ventilation and light were sadly wanting in cases where the shipowners were careless about the well-being of their men; this Bill therefore proposed to insist upon the supply of all accommodation necessary for the perfect health of the men, and proposed to exempt owners from paying tonnage on account of the space used for their seamen if proper accommodation were given. In order also that seamen might not embark on a long voyage with disease in their midst, it was proposed to subject them to medical inspection at various ports. The last clause of the Bill might, at first sight, have an exceptional appearance; but on full consideration of it, he thought it well advised. It provided for the punishment of men who committed offences against foreign vessels. On a recent occasion a small French vessel stranded near the English coast was set upon by some men of Harwich, the captain was subjected to violence, and the ship taken possession of; yet the offenders escaped unpunished, because their offence was committed on a foreign vessel outside British soil. A remedy for this defect in our law was provided in the clause he spoke of, by providing that the offender shall be punished in the same way as if the offence had been committed against an English ship. He concluded by moving the second reading of the Bill.

Lord STANLEY of ALDERLEY expressed general approval of the Bill. There were, however, great difficulties in the way, which he hoped might be overcome.

Lord WROTTESLEY trusted that some provisions would be introduced referring to the adjustment of compasses in iron ships.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at half past Six o'clock, till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, July 2, 1867.

MINUTES.] — Public Bills — *Resolution in Committee*—Companies Act (1862) Amendment.

Ordered—Game Laws Amendment (Ireland)*; Companies Act (1862) Amendment*; Sea Fisheries*; Guarantees of Government Officers*; Promissory Notes and Bills of Exchange*; County General Assessment (Scotland).*

First Reading—Lunacy (Scotland)* [219]; Recovery of Certain Debts (Scotland)* [220]; Companies Act (1862) Amendment* [221]; Sea Fisheries* [222]; Guarantee of Government Officers* [223]; Promissory Notes and Bills of Exchange* [224]; County General Assessment (Scotland)* [225]; Game Laws Amendment (Ireland)* [226].

Referred to Select Committee—Sale of Liquors on Sunday (Ireland)* [95].

Committee—Representation of the People [79] [R.P.]; Land Contracts (Ireland)* [32] [R.P.]; Mines, &c., Assessment* (*re-comm.*) [R.P.]; Industrial and Provident Societies* [198] [R.P.]

Report—Sir John Port's Charity* [217].

Considered as amended—Public Records (Ireland)* [157].

Third Reading — Attorneys, &c., Certificate Duty [53], *negatived.*

The House met at Two of the clock.

INFECTION—SANITARY ACT OF 1866—CASE OF EMANUEL COOK.—QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for the Home Department, Whether he has noticed the statement in *The Times* of May 11, headed "Sanitary Act of 1866," in which it appears that a pauper (Emanuel Cook) was confined in the pest-house of the Aylesbury Union Workhouse, under treatment for small pox, from whence he twice escaped, "setting the whole population of several villages in a terrible fright;" that he was taken before the Linsdale bench of magistrates, and, being a pauper, was fined in the mitigated penalty of 5*s.* and 12*s.* 6*d.* costs, and, in default, "while suffering from a dangerous infectious disorder," whether the alternative of imprisonment was ordered; and, whether he can state what spread of small pox in the district has ensued?

Mr. GATHORNE HARDY said, that on receiving notice of the Question, he had ordered inquiry to be made into the facts of the case, but he had not yet received any answer. As soon as he was in a position to do so, he should communicate the information he should receive to the House.

CASE OF COLOUR SERGEANT CONNELL. QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for War, Whether any and what decision had been come to on the Petitions to the War Office of Colour Sergeant Connell, late of the 78th Highlanders, respecting his trial for insubordination by a Militia Regimental Court Martial, which sentenced him to confinement in Forfar Gaol with hard labour, and to the suspension of his pension for three months for conduct subsequent to his trial?

Sir JOHN PAKINGTON: In consequence of having received the petitions to which the Question refers, and also from the communications received from the hon. Member himself, I referred the particulars of this court martial to the consideration of the right hon. Gentleman the Judge Advocate General, and I received from him a communication expressing his opinion that the various proceedings in connection with this court martial were informal. In consequence of that communication, and fortified by the further opinion of my right hon. Friend that very doubtful evidence was adduced in support of the charge, I had no hesitation in thinking it my duty to quash the whole proceedings, and therefore gave directions to that effect. Official communications have been made on the subject, and I have also referred the matter to the consideration of the Commissioners of Chelsea Hospital with reference to the pension.

VISIT OF THE VICEROY OF EGYPT.

QUESTION.

LORD **EUSTACE CECIL** said, he had a Question to put to the Foreign Secretary on a subject of general interest to Englishmen, who, he was satisfied, felt deep concern that whatever of consideration, courtesy, and hospitality was due from the British Government to distinguished foreign Princes should be paid on their visit to this country. He begged to ask the Secretary of State for Foreign Affairs, Whether it is true that His Highness the Viceroy of Egypt has postponed his visit to this country; and, if so, whether he is at liberty to state the reason of the delay; and further, what arrangements have been made by Her Majesty's Government to give him a reception suitable to his dignity?

LORD **STANLEY**: It is true that the Viceroy of Egypt has postponed his visit to this country, but has postponed it only, as I understand, for two or three days. The reason of the postponement is simply that he was requested by the Sultan to stay for a short time in Paris, and to meet him there; and that was an invitation which, considering the relations between the two parties, could not well be declined. With regard to the arrangements made by Her Majesty's Government for the suitable reception of the Viceroy, I may, perhaps, take this opportunity of entering into some little detail as to what they are. In the first place, I may say that as soon as I heard of the Viceroy's intention to visit this country, and could obtain from Her Majesty the requisite authorization, I lost no time in forwarding to him an official invitation. The Consul General for Egypt, Colonel Stanton, was sent over to Paris to wait on the Viceroy, and to consult with him as to the arrangements which should be made. A Government vessel will receive him at the French coast to bring him over to Dover. At Dover he will be received with all military honours; he will be thence conveyed to London by a special train; an escort will attend him at the station; and he will be received by a guard of honour in London. I have arranged also, as an additional mark of honour, that sentries shall be placed before his door, and that either an equerry or groom-in-waiting shall be deputed to meet him and wait upon him at Dover. I was also authorized by Her Majesty, if he had come to-day as was expected, to invite him on her part to Windsor. With regard to further preparations and details for his reception, it is of course necessary to consult his own pleasure; but, generally, I can say that nothing within the power of the British Government will be left undone either to give him a reception suitable to his dignity, or to make his stay in this country agreeable.

MR. **MORRISON** asked whether the Viceroy would stay at Claridge's Hotel?

LORD **STANLEY**: I know of no other place where he can be received. [An hon. MEMBER: Buckingham Palace.] The rooms which are generally appropriated to the reception of distinguished persons in Buckingham Palace are at this moment under repair for the reception of the Sultan; and I know of no other Royal palace where he can be received. [Several hon. MEMBERS: St. James's.] There is no accommodation at St. James's Palace for distinguished visitors.

MR. **ROEBUCK**: There is Prince Alfred's residence—Clarence House, I think it is called.

LORD **STANLEY**: I must say I am not master of the Royal palaces; but, even were it otherwise, I very much doubt whether the accommodation at Clarence House would be by any means so convenient as that which will be provided at the hotel. I can only further say that all the circumstances attending his reception will show that we have every desire to give the Viceroy such a reception as is suitable to the dignity of the very highest visitor.

REPRESENTATION OF THE PEOPLE BILL—THE RATEPAYING CLAUSE.

QUESTION.

MR. **DENMAN** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of the Government to bring up a new Clause defining the mode in which rates are to be demanded, as contemplated by Clause 3 of the Bill for Amending the Representation of the People; and, when he will place the Notice of such intended Clause on the Notice Paper?

THE CHANCELLOR OF THE EXCHEQUER: Although the hon. and learned Gentleman the Member for Tiverton seems to have shrunk from the engagement into which he entered with the House to provide us with a clause to meet this difficulty, I notice that his hon. and learned Colleague in this difficult enterprise (Mr. Locke) has resolved to meet that engagement, and I feel that I should be guilty of great want of courtesy towards him if I did not give the House the opportunity of discussing the propriety of the provision which he has prepared.

REPORT OF THE TRANSPORT COMMISSION.—QUESTION.

MAJOR ANSON said, he would beg to ask the Secretary of State for War, If he will be able to state to the House this Session the course he intends to pursue with regard to the Report of the Transport Commission; and, whether publicity will be given to the opinions of the heads of the several Departments in the War Office with regard to that Report?

SIR JOHN PAKINGTON: In answering the Question of my hon. and gallant Friend, I think I can only repeat the substance of what I stated on a former occasion at a greater length, when my hon. and gallant Friend the Member for Harwich (Major Jervis) brought this question before the House. The Report of Lord Strathnairn's Commission, following as it does, closely upon the Report of the Royal Commission, presents, I think, a very favourable opportunity for a careful revision of the present organization both of the War Office and of the administrative departments in the army. But I need not point out to my hon. and gallant Friend that that is a task as heavy and as difficult as it is important. I think I shall be guilty of great presumption and great imprudence if in the short remaining period of this Session, occupied moreover, as it now is, I were to attempt to submit to this House a plan upon so complicated and difficult a subject with any hope that that plan could be worthy of the approbation of the House. The course which I propose to take, therefore, is to give my best and most careful consideration to the subject during the recess, calling to my assistance the best advice I can obtain, in the hope that at the commencement of the next Session I may be able to submit to this House a plan worthy of the consideration and approbation of Parliament. Under these circumstances it is not my intention—it would indeed be premature—now to lay upon the table any views upon this subject which I may receive from the various heads of the War Department.

INDIA—THE METRIC SYSTEM OF WEIGHTS AND MEASURES.—QUESTION.

MR. J. B. SMITH said, he would beg to ask the Secretary of State for India, When the Report of the Committee appointed by the Viceroy of India, recommending the adoption in India of the Metric system of Weights and Measures, will be printed, as ordered by this House on the 13th May last?

SIR STAFFORD NORTHCOTE said, the Report referred to had not yet been received from India. He had written for it immediately after the Order was made by the House, and when it was received it would at once be printed and presented to the House.

IRELAND—THE TYRONE MAGISTRATES.
QUESTION.

CAPTAIN ARCHDALL said, he would beg to ask the Chief Secretary for Ireland, Whether there is any truth in the rumour that some alterations were being made in the Report presented to the Lord Chancellor by the Commissioners appointed to inquire into the charges made by Judge Keogh at the last Assizes?

LORD NAAS said, he was much obliged to his hon. and gallant Friend for asking this Question, which gave him the opportunity of explaining some remarks made by him yesterday, which he thought had not been quite rightly apprehended. No alteration whatever that he knew of had been made in the Report submitted to the Lord Chancellor by the Commissioners referred to; and he hoped he might be allowed to repeat that the only cause of the delay which had occurred was that the Lord Chancellor had been very much occupied in other business, and had not had sufficient time to give to the consideration of certain observations which he thought it his duty to make to the magistrates upon this Report. He (Lord Naas) hoped, however, that these observations, together with the remainder of the Papers, would be in the possession of the House in a very short time.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JULY 1.]

Bill *considered* in Committee.

(In the Committee.)

MR. ROEBUCK: I hope the Committee will allow me to make a few observations before the Chancellor of the Exchequer addresses them. They are aware that I have given him my most strenuous support during the passage of this Bill, and that I did so in particular on the Motion of the hon. Member for Wick (Mr. Laing), when I formed one of the majority.

MR. GLADSTONE said, he rose to order. He did not wish to interrupt the hon. and learned Gentleman, but there was no question before the Committee.

MR. ROEBUCK: Then I shall move, Mr. Dodson, that you report Progress. I was about to say that the reasons which induced me to support the right hon. Gentleman on that occasion were—first, because I thought his plan of re-distribution the better one; and next, because I was told that if the Government were put in a minority the passing of the Bill would be jeopardized. Last night, however, another Motion was made, to which the right hon. Gentleman acceded, thus breaking through the rule which he had laid down that we ought to distribute the representation over various parts of the country, and not accumulate representatives upon large masses of population. The right hon. Gentleman, moreover, out of his especial favour, gave the town of Leeds an additional Member. Now, it must be recollected that the places suggested by the hon. Member for Wick were six—namely, Manchester, Liverpool, Leeds, Bristol, Birmingham, and Sheffield. Four of them are now to come in—not, I suppose, to do away with flagrant anomalies, because they will still exist. With regard to Leeds the right hon. Gentleman said he gave this additional representative to the great metropolis of Yorkshire. Now, I deny the claim of Leeds to that title, because Sheffield, though its population is somewhat smaller, has a larger constituency, thereby showing that there is a class of persons in Sheffield of a higher and superior position to the people of Leeds. I supported the right hon. Gentleman at some danger to myself, for it was supposed that my constituents were about to be blessed with an additional Member, and everybody must know that I could have been actuated by no personal or party feelings in supporting the Bill. I was delighted to hear last night that there have been changes in the opinions of Members regarding the Bill. The right hon. Gentleman the Member for South Lancashire said it must now be passed—a very great change of opinion, and I think my foresight was rather better than that of the right hon. Gentleman, who so violently attempted to destroy it. I want to know, however, why Sheffield is left out. It cannot be because of the rule of not giving additional Members to large populations, because we have departed from it; and it cannot be that there is any difficulty in obtaining another seat. Why, then, should Sheffield be left in this way out in the cold? I have done my duty in this House, and I think my constituents have done their duty by sending a Member who will support this Bill. I put it, then, to the right hon. Gentleman whether he thinks it fair to me and to my constituency thus to desert us. I do not see myself any great advantage to Sheffield in its having another Member; but I cannot help feeling that the people of Sheffield will regard themselves as affronted, and I do not think that they or I deserve it. I move, Sir, that you report Progress.

MR. KNATCHBULL-HUGESSEN said, that after the concession of the Government on the previous evening and their departure from their original plan, he wished to take that opportunity of saying a few words upon the clause now under discussion. Shortly before the Whitsuntide recess he had felt it his duty—in a manner which he intended to be most respectful to the Committee and to the Government—to enter his protest against the insufficient means which Government had at their disposal in dealing with the question of re-distribution. The Chancellor of the Exchequer, unwilling that his policy should be criticized by so humble an individual, taunted him (Mr. Knatchbull-Hugessen) with having made proposals without any weight of responsibility upon him, and jeeringly invited him to a further declaration of opinions to which the forms of the House prevented him from giving any practical effect. But since that time he had had the satisfaction of hearing that protest (which he had made without concert with anyone) entirely endorsed by the right hon. Gentleman the Member for South Lancashire, and every alteration or Amendment which Government had made in their Bill had been in the spirit and in the direction of that schedule which he (Mr. Knatchbull-Hugessen) had been presumptuous enough to publish subsequently. Emboldened by this, he wished respectfully to urge upon the Chancellor of the Exchequer the consideration of the question whether he could not even now somewhat extend his scheme of re-distribution. The Chancellor of the Exchequer had told the House last night that he hoped they would not attempt to settle the principle upon which the representation of the country was founded—that time, accident, and contrivance had much to do with its present position. But, however true this might be, and whether or no it was desirable that the Committee should settle any principle of this kind or not, surely the right hon. Gentleman would allow that the fewer incongruities and anomalies we left behind us now after the passing of this Bill, the better chance there was that the element of permanence would attach to the plan, and that the arrangement made would be satisfactory to the country. They might give —they probably would give—a large extension of electoral rights to the community, but unless with that extension was coupled a wide—a fair—a just revision of the manner in which electoral power was distributed, they would do but half their work, and would bequeath to their successors the necessity of dealing with this question, possibly, if not probably, in the teeth of an agitation which a little wisdom, a little foresight, a little courage now might forestall and prevent. And what was the right principle upon which to act? Not—as had been done by different Governments and individuals—calculate how many seats the House of Commons might probably allow them to take from small boroughs, and then consider how they should best distribute them, but consider in the first place what are the most patent and glaring incongruities in our system—how many seats it is necessary to obtain to remove or mitigate these, and then appeal to the wisdom and patriotism of Parliament in order to obtain the necessary number. Now what were the most glaring anomalies in the system? First, that the counties, that is, the population dwelling elsewhere than in represented towns, have not got their fair share of representation. Secondly, that equal representative power is given to very large and very small constituencies. Thirdly, the existence of unrepresented towns larger and more important as regards population and property than many which are represented. No scheme would be satisfactory that did not in some degree touch all these three points, and he would venture to urge upon the attention of the Committee this broad principle—that where you find a large population representing a large amount of property and having, as compared with smaller communities, an insufficient representation in Parliament, you should equally consider the claims of that population, whether it is massed together in a town or scattered abroad over a wider area—namely, in the division of a county. Now, if they looked broadly to this principle of population they would find that including the five metropolitan districts which this Bill does not touch there are just eleven borough constituencies in England, the population of which exceeded 150,000 at the Census of 1861. The Government had already proposed to deal with counties upon this principle, according to their population and wealth; and if they would deal with the boroughs upon one and the same principle, the matter would stand thus: these eleven large borough constituencies would absorb eleven seats—seven seats had been already appropriated — Chelsea, Tower Hamlets, London University, Salford, and Merthyr Tydvil, and it was proposed to give twenty-five to counties. This would account for forty-three seats out of the forty-five at their disposal; and he would beg to observe at this point that, considering the strongest claim to be that of the counties, he would vote for no proposal, from whatever quarter it might come to abridge or curtail the number of seats allotted by the Government to counties. But having satisfied upon equal terms the claims of these large county and borough constituencies, then it was that, in his opinion, the question of the enfranchisement of other new towns should arise, and their claims weighed against those of existing constituencies of smaller importance. Now there were four ways in which additional seats might be obtained—first, there was the plan which the Chancellor of the Exchequer had already proposed vith a view to obtain seats for Scotland—namely, an increase of the numbers of the House — and he (Mr. Knatchbull-Hugessen) would respectfully but earnestly press upon the Chancellor of the Exchequer that the fairest, simplest, and most straightforward course to adopt would be to call upon the House to decide aye or no upon the question whether the number of its Members should be increased, before proceeding further with his scheme of re-distribution. The claims of Scotland were great and undeniable; but the question of increasing the number of the House ought to be decided not with reference to the claims of Scotland alone, but to just claims for increased representation from whatever part of the whole kingdom they arose, considering England and Scotland as one country. And if, as was now proposed, the Committee went on to distribute among English constituencies all the seats at their disposal, the question would come on at a time and in a manner most unfair to Scotland, when the House, if it objected to increase its numbers, would have to decide between doing that of which it disapproved or refusing the just claims of Scotland. But putting aside this point, there was a second plan for obtaining more seats, of which he spoke in fear and trembling, because he knew that it affected several friends around him, twelve seats might be obtained by taking away the second Member from the twelve boroughs which had a population between 10,000 and 12,000. Of the thirteen new boroughs proposed to be created by the Government ten were of much more importance than the other three, and with these twelve seats and the two over after the above disposition of forty-three seats, the Chancellor of the Exchequer might either exhaust his last, or might take these ten and have four seats over to give to counties or other constituencies. Then there was, thirdly, the adoption of the principle of grouping, by which the Government could get as many seats as they wished. He believed the grouping scheme of the hon. Member for Wick would give nine seats, and though it was not a system to which he himself was partial, it was certainly an alternative which might be suggested. Then, lastly, there remained the plan which appeared to him (Mr. Knatchbull-Hugessen) to be by far the best—namely, the disfranchisement of very small boroughs. He was not afraid to say that in such places he believed the low suffrage which had been granted would be an evil, introducing an element upon which corrupt practices would be attempted, without the advantage of numbers to counterbalance and neutralize such attempts. Now, he was not in the habit of troubling the Committee with statistics, but he would just read one single fact. There were at this moment forty boroughs with a population below 7,000 each — their aggregate population was 220,959—the number of their inhabited houses was 43,353—they returned sixty-three Members, and their population and inhabited houses altogether was less than several of our large towns and several divisions of counties which only return two Members each. Was it possible to leave such anomalies and expect your system to carry with it the character of permanence? But he would not ask for a violent or extensive change. If the Government would agree to disfranchise only those boroughs whose population was below 6,000, they would obtain twenty-three additional seats —which would enable them to enfranchise all towns whose importance was sufficient to entitle them to enfranchisement, to give another Member or two to counties, and to bestow eleven Members upon Scotland, whose just claims he contended could not be satisfied with a less number. ["Question!"] The hon. Member who cried question would soon be satisfied, for he had now discharged his duty. The Government had shown a pliancy and desire to concede, which encouraged him to urge upon them some extension of their scheme. He hoped the Committee would be able to get rid of those scruples against disfranchisement which really appeared to him so absurd, and urged upon the Chancellor of the Exchequer the consideration of the question.

MR. JOHN HARDY said, he wished to explain his vote of last night. He protested against giving additional Members to the large boroughs at the expense of the smaller ones. He could not understand what right certain constituencies could have to give four or six votes to as many Members, while in other towns two votes were the limit. He did not object to giving an additional Member to the largest of these towns; but no man ought to have more than two votes. It was a most selfish thing on the part of the large boroughs to beg for more Members. The hon. Member for Birmingham (Mr. Bright) said he could hardly call him a man who did not possess the franchise. If so, why did they not spread the franchise all over the country? But to give an additional vote to those who were already well off in that respect was like giving three coats to one man while another was naked, or like giving three loaves to one man while another was starving. He thought it an anomaly and an injustice that any voter should have the power of voting for four Members. If this were done the large boroughs would get such a power with their four or six votes—for he supposed they would come to that—that they would swamp the counties.

Mr. DILLWYN said, he represented a borough that had been "left out in the cold." The hon. Member for Wick (Mr. Laing) proposed to give Swansea an additional Member, to which it was well entitled. He hoped the Chancellor of the Exchequer would re-consider his scheme in this respect.

Mr. GLADSTONE: Although reporting Progress at the commencement of the Committee is not a practice which ought to be drawn into a precedent, I do not censure my hon. and learned Friend (Mr. Roebuck). In the course of a lengthened Bill of this kind it is absolutely necessary sometimes to review our position. This consideration justifies the Motion. My hon. and learned Friend has referred to the marvellous change in my opinions on this Bill, but that change is grounded upon the marvellous changes in the Bill itself. The Chancellor of the Exchequer was asked last night to state the course he intended to take in consequence of the Motion made by the hon. Member for Liverpool and of the Government having acceded to that Motion. The Motion of the hon. Member (Mr. Horsfall) was not the last of the same kind, and therefore it is desirable that the Committee should take a view of their position and re-consider the whole question of enfranchisement and dis-enfranchisement generally. I believe the Committee will require more seats than are yet provided. To use a financial phrase, we are taking Votes of Supply on such occasions as last night, and must have Ways and Means to meet them. It would be most inconvenient to adopt the Motions for additional seats, and then ask the Chancellor of the Exchequer to re-consider the Schedules. The right hon. Gentleman himself has on a former occasion laid down the course to take. The right hon. Gentleman the Chancellor of the Exchequer said that the proper course was to consider comprehensively the claims for enfranchisement, and adopt what should be adopted, and reject what should be rejected; and, having done that, then proceed to find the disfranchisement necessary to get the required number of seats. What I suggest is this—that with the consent of the House some arrangement should be come to, by which we shall go through the various proposals about to be seriously made, either as to enfranchisement altogether new, or an addition to the representation of communities already represented. If we do that, then the right hon. Gentleman will be in a position to know what he can do with regard to providing any additional seats. I would beg the Committee to refer to the state of the Notice Paper for a few minutes, and they will find that we stand in this position. Last night we dealt with the question of additional enfranchisement, and then there is to follow a Motion of disfranchisement to be made by the hon. Gentleman the Member for Wick. Then we get to the proposals to give a third Member to Sheffield, and two Members to Huddersfield, Swansea, and Birkenhead. Then follows a Motion of my own, which seems to me to be perfectly irresistible in point of reason, and that is, to give two additional Members to the Southern Division of Lancashire. I do not at all wish to make that Motion as against the claims of any other county, but I wish my Motion, as every other Motion, to be considered on its own merits, so that it may not clash with anything else. Then we have Motions on the Paper to give Members to Cheltenham, Chesterfield, and other places, making in all sixteen seats which are asked for in good faith, and in no one case can it be said that the Motions are unworthy or unsuitable to be brought under the consideration of the House. Then there is the claim for Scotland — which is one upon which some decision ought to be come to before we proceed with the question of enfranchisement and disfranchisement. It appears to me that we should be altogether in a false position if we took these questions casually, as they will come up from their position on the Notice Paper, rejecting one to-night, adopting another to-morrow, and endeavouring to provide by modifying the scheme of disfranchisement with reference to the Motion we adopt. I submit that the proper course would be to say nothing at all about alterations in the scheme of disfranchisements until we have gone through all these claims, and the sooner we go through them the better, because when we have gone through them we shall be in a position to try the question of what amount of disfranchisement this House ought to sanction.

Mr. BRIGHT: The hon. Member for Dartmouth (Mr. J. Hardy) has made a reference to me. I beg to tell him and the House that I have received a letter from an important member of his constituency, asking me to propose the disfranchisement of his borough. The writer is a gentleman very well known to the hon. Member; and he says that the corruption of the borough is such that there is no cure for it but absolute extinction; yet, that if that absolute extinction cannot be had, it might possibly be desirable to unite the place with some neighbouring borough, the name of which I do not recollect. I am sorry I have not the letter with me; but if I had known the hon. Member was going to refer to me, I would have brought it down and read it to the House. The observations of the right hon. Member for South Lancashire will have shown the Government and the Committee the difficult position in which we are placed. If all these proposals are to be discussed fully and divided upon, the House will have to sit a good deal longer than most of us wish; and the Bill going up so late to the other House may give no opportunity for that consideration to which it is entitled from that assembly. If I were in the position of the Chancellor of the Exchequer—which is rather a bold figure of speech—I should do one of two things: I shall just mention them to explain to him what he should do to get us out of this difficulty. I think he knows, from the discussion which has taken place, what is the disposition of the House generally with regard to this matter of re-distribution. The scope of it is not sufficient to meet what the House really wishes. I do not confine my observations to this side of the House. I think it applies equally to Gentlemen opposite, many of whom, I am sure, do not desire to perpetuate the continuance of some of the smallest boroughs which now usurp a place in the representation, but are, in reality, no part of a true popular representation. I think the Chancellor of the Exchequer, after the liberality with which both sides of the House are disposed to treat him, might take this whole question into consideration and obtain a few more seats. I believe ten more seats would have been obtained if the Motion of the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee) had been carried. The right hon. Gentleman might take those ten seats and so dispose of them as to enable the Committee to pass the Schedules as they ought to leave this House. Then we should get through without any of that prolonged discussion which, if we go on from Amendment to Amendment, I foresee is likely to present itself. That is one way of getting out of the difficulty. The other mode is one which many might think unwise, and respecting which it might be said we had gone too far to adopt it. I regret extremely that the Government did not from the first include in their Bill the whole question of the franchise both in boroughs and in counties for the three kingdoms. They might have done that in one Bill, which might have been passed without difficulty during this Session. It would have been passed by this day if it had been so introduced, and then, in the next Session—next year the Chancellor of the Exchequer is going to deal with the question of Scotland and of Ireland—in the next Session, he might in one measure have settled the whole question of re-distribution. When he came to give more Members to Scotland there would then have been no need of any proposal to increase the numbers of this House, which is, I think, one of the most untenable proposals which could be submitted to Parliament, and I hope one which will never be made. Scotland has no claim to more Members because it is Scotland, but because it is a part of the United Kingdom. It has just the same kind of claim as Lancashire. It does not derive its claim from the fact of its having been an ancient and independent kingdom. We repudiate all that. If I as an Englishman, and the hon. Member for Montrose as a Scotchman, are to look on ourselves as belonging to different nations, and to contend here some of us on behalf of Scotland, and some of us on behalf of England, it seems to me that we are going back to a barbarous age, to which I hope nobody is anxious to return. I would treat Scotland exactly as I would treat Lancashire, Yorkshire, or any other portion of this kingdom, and would give more Members to Scotland just as I would give more Members to Lancashire. This matter, it is clear from the position we are in, has never been fairly considered by the Government; there always has been a difficulty with them; they have been afraid that they were going further than some of their supporters would follow them. Notwithstanding what the Chancellor of the Exchequer said yesterday, they have been afraid that the measure might be of so popular a nature as to disturb what is called the balance of parties and of power in the House; but if you come before the country to adjust a great question like this, pettifogging, cheese-paring, little tricks of management, are out of place and unworthy of statesmanship. The Chancellor of the Exchequer has shown great breadth of view in the course he has taken with regard to the franchise. I think it would be satisfactory to him, and I hope also to the Members of the Government and to Gentlemen opposite—I am sure it would be satisfactory to Members on this side of the House—if the right hon. Gentleman would only open his eyes a little wider to look at the question of these Schedules, and would bring before the Committee a somewhat broader scheme. I am not asking for anything extravagant or that need startle any hon. Member. I do not ask him to take the Schedules which I proposed some years ago. Many persons, especially among the powerful class, are perhaps not yet fit for that; but I ask him to do that which I think he may gather to be the view of the great majority of the House, and to meet, to a greater extent than this proposal does, the general wish of the country to get rid of the smallest boroughs, and of the "sham" representation and corruption inseparable from those boroughs. Let the right hon. Gentleman follow either of the plans I have suggested, and improve his Schedules as he perfectly well can—just as well as I could myself, and in saying this I am giving him as much credit as he will expect me to give him—and the difficulty is disposed of. If he cannot do that, I am not sure that he will not even now do better to dispose of the question of the franchise for the three kingdoms this year, and postpone the whole question of disfranchisement till next Session.

Colonel SYKES said, the Chancellor of the Exchequer had absolutely pledged the Government to an increase in the representation of Scotland, and he would therefore be compelled either to obtain the additional seats from England, or to increase the number of Members in that House. The right hon. Gentleman must see the difficulty of increasing the number of Members in that House; and he therefore appealed to the right hon. Gentleman to relieve himself from the prospective dilemma which was thus before them by agreeing to one or the other of the two proposals which had been suggested by the hon. Member for Birmingham. In Scotland there was not a borough with less than 10,000 inhabitants which sent a representative to this House, while in England there were eleven boroughs with less than 5,000 inhabitants, and fifty-six boroughs with between 5,000 and 10,000 inhabitants, that had representatives in this House. He submitted that such a glaring anomaly as this ought not to be allowed to longer exist.

The CHANCELLOR of the EXCHEQUER: The hon. Member for Birmingham has spoken much about the opportunities the Government have had of gathering the opinion of the House on the question of the re-distribution of seats. I must, however, be permitted to say that that opinion is not to be gathered from the speeches of individual Members, however ingenious, although these ingenious speeches may come from Gentlemen of influence. It is to be gathered from Motions made and votes given upon divisions. We have had two occasions presented to us during the more recent portion of the Session for considering the question of re-distribution and taking the opinion of the House upon it. Notice was given by an hon. Gentleman opposite that, in re-distributing the seats which we might have at our disposal, it was expedient that no borough with a population of less than 10,000 should be represented by more than one Member, even though it might now be represented by two. There was ample notice of that Motion; a very full House considered it and came to a decision upon it. It was carried by an overwhelming majority, and the opinion of the House thus distinctly pronounced, that no borough having not more than 10,000 inhabitants should in future be represented by more than one Member. I gathered, then, that that was the opinion of the House on the subject; and I thought that, like practical men having a difficult task before them, they were desirous that in legislation upon the point the Government should be guided by that division. We had also another Motion, the object of which was to disfranchise altogether boroughs whose population did not exceed 5,000. The decision of a very full House was taken upon that question, and a very considerable, though not an overwhelming, majority voted against the proposal. I gathered also the opinion of the House from that division, and it is only by such expressions of opinion that a Minister can satisfactorily be guided. Those proceedings have been going on for a considerable time; we have acted upon the divisions which have been taken, and I put it to the Committee what chance have we now, or can we ever have, of arriving at a practical result on a question so large and complicated as this, if, after the House has formally and deliberately decided points such as those I have mentioned, we are on the 2nd of July to treat all those solemn decisions as a mere nothing? In acting in that manner we should really be proceeding more after the fashion of a debating society than of an assembly conducting its deliberations with the sedateness which is necessary in order that a great question should be settled in a manner satisfactory to the nation. The right hon. Gentleman the Member for South Lancashire has a scheme for conducting the business of the House, and has favoured me with an intimation of it. He says that there are on the Notice Paper a great many clauses which relate to the re-distribution of seats, proposing enfranchisement in some cases and increased representation in others, and suggests that it would be better that the Committee should proceed to deal with that branch of the subject, and decide upon it, leaving the means to be afterwards considered by which those requirements, should we think fit to acknowledge them, might be satisfied. My answer to the right hon. Gentleman is that the new clauses proposed by the Government have been disposed of, and that those to which he refers are clauses which are brought forward by independent Members, in whose power it lies to arrange their own business, and to submit those questions to the Committee or not as they please. We, as a Government, are prepared to meet them, and to give our opinion upon them whenever they may come on for discussion; but I must at once say that we are not prepared to support any proposals for the further disfranchisement of boroughs, and there is not one proposal on the Paper with that object which the Government will not deem it to be their duty to oppose. The position of affairs, so far as the Government is concerned, is extremely simple. When I came forward with the proposal which I made yesterday, I stated to the Committee that it was made in the spirit of compromise and conciliation, and that it was not one which I approved in principle; but that I believed that the principle was one which might, under the circumstances, be applied without any of those dangerous consequences which, if acted upon on a larger scale, I apprehended might arise. I never for a moment concealed the spirit in which we made that overture, or the opinion with respect to it which was entertained either by myself or my Colleagues, and I expressed a hope that it would have the effect of expediting the progress of these discussions. Nor do I despair that the Committee will, after calm consideration, be of opinion that the general scheme brought forward by the Government with regard to the re-distribution of seats is one which it is advisable to accept. Of this, at all events, I feel quite sure, that if after having, in the course of a long Session, arrived at decisions on points of importance connected with this subject, we treat all those decisions as mere idle matter, and indulge in all sorts of dreams and vagaries respecting the representation of the people, we shall end by doing nothing and thus disappoint the fair expectations of the country. I hope therefore, seeing that we have all made some sacrifices to come down here this morning and proceed with the Committee on this Bill, that we shall do so at once; but I would first recall to the attention of hon. Members the exact position in which we stand. The new clause which was proposed by my hon. Friend the Member for Liverpool was, at my suggestion, read a second time. I then moved to report Progress, promising that when we met again I would propose an Amendment which would express what I believe to be the feeling of the Committee, and certainly the views of the Government, with respect to giving a third Member to a city and three boroughs which we yesterday decided should enjoy that advantage. If we proceed in Committee, I shall propose that Amendment. It will then be open to my hon. Friend the Member for Maldon to move his Amendment if he should think proper. If he does not, I think the Committee will accept our proposal, and that we shall make some progress in our labours.

MR. HADFIELD said, he agreed with his hon. and learned Colleague in urging the claims of Sheffield to increased representation.

MR. HENLEY said, he entirely concurred with his right hon. Friend the Chancellor of the Exchequer in thinking that the only true way of ascertaining the feeling of the House was by means of Motions made and divisions taken, the results being duly considered. In dealing with a matter so difficult as the re-distribution of seats—involving as it did so many various views and interests—he had thought that the best course which the House could adopt was to support some one scheme, taking the good and evil together, and trusting to the Government as having looked carefully into the whole question. Acting upon this view he had made up his mind to give his support to the plan which Her Majesty's Ministers had proposed; but he must confess that he had felt, after what had taken place the night before, great difficulty in the course to be taken. The decision they arrived at seemed to be a complete reversal of what had previously happened, and a complete departure from the conclusions at which the House had already arrived, as evidenced by its votes. He was, under those circumstances, afraid that further opportunities would be laid hold of to endeavour to open up almost every question that had already been decided. He was glad, therefore, to hear the Chancellor of the Exchequer announce his determination not to give way on any of those other points on which the opinion of the House had been pronounced. If that declaration were adhered to, some security as to the conduct of the Bill would be afforded. If, however, hon. Gentlemen opposite chose to bring forward their theories for electoral districts downwards or upwards, it was impossible to say when the Committee could arrive at the end of the discussions in which they were engaged. He had, until last night, some hope that there was a reasonable prospect of passing the Bill this year; but, unless the Government adhered to some definite scheme, it would be impossible in the course of the present Session to get through the work before them. He believed that this question could only be settled by adherence to some general system, and he was glad to hear that the right hon. Gentleman the Chancellor of the Exchequer did not mean to cast any more seats loose.

Motion *withdrawn.*

New Clause—

(Certain Boroughs to return three Members.) From and after the end of this present Parliament, the several Boroughs named in Schedule (G) to this Act, each having a population (according to the last Census of one thousand eight hundred and sixty-one) of upwards of two hundred and fifty thousand, shall respectively return three Members to serve in Parliament.—(*Mr. Horsfall.*)

Amendment proposed,

In line 1, after the word "Parliament," to insert the words "the City of Manchester, and the Boroughs of Liverpool, Birmingham, and Leeds, shall each respectively return three Members to serve in Parliament."—(*Mr. Chancellor of the Exchequer.*)

Mr. Henley

MR. HADFIELD said, he proposed that the town of Sheffield should be added to the list. The trade of the town was increasing. It contained 38,000 electors, and was increasing with a rapidity unexampled; therefore, it ought to enjoy increased representation in proportion to other largely increasing towns. No charge of bribery had ever been brought against the constituency of Sheffield. The two great towns of Yorkshire ought to enjoy the same privileges of representation which had been granted to the two great towns of Lancashire.

Amendment proposed to the said proposed Amendment, after the word "Leeds," to insert the words "and Sheffield."—(*Mr. Hadfield.*)

MR. H. BERKELEY said, he must advocate the claims of Bristol to additional representation, when other constituencies were having their claims recognized. Bristol ought to be particularly favoured by the Chancellor of the Exchequer, as it brought in a greater revenue to the Exchequer than Birmingham. Bristol had more claim to increased representation than any other city in the kingdom. The Customs returns amounted to upwards of a million, the Excise returns were nearly the same, and the number of electors was upwards of 14,000. Bristol was a city and county in itself, and had large shipping, mercantile, and manufacturing interests, and if it had three Members a Tory must come in.

MR. NEVILLE-GRENVILLE said, he regretted that Bristol was not included in the Chancellor of the Exchequer's proposal. When they heard of the capital of Yorkshire getting another representative, and of all these northern towns, which were within an hour's railway ride of one another, having the same privilege conferred upon them, it would be a great shame if the south-west of England, including South Wales, were left without additional representation. Bristol was only a small degree inferior in population to Leeds, and was entitled to the favourable consideration of the Committee.

MR. LIDDELL said, he regarded the Motion of the hon. Member for Sheffield as a very natural one, and he hoped and expected that similar proposals would be made by other representatives in large towns. It was the natural sequence of the vote of last night, and he was extremely anxious to hear the grounds on which the Government would resist this and other similar

Motions. Last night the Government sanctioned the principle of giving representation to numbers in large towns, and when the right hon. Member for South Lancashire raised the question of additional representation for South Lancashire, he should like to know how it would be possible to oppose it? The Chancellor of the Exchequer had told them that he wished to be ruled in coming to a decision upon these great questions by previous decisions of the House of Commons, and that being the case, why was he not last night ruled by the previous decision of the Committee? As long as this vacillation on the part of the Government was exhibited, the House would be in a chaos of perplexity and difficulty. Every representative of a large town was entitled to ask what was the principle upon which the Government were prepared to act in giving representation to numbers.

MR. DARBY GRIFFITH said, that the proposals of the hon. Members for Sheffield and Bristol were justified. With respect to the latter city, he had had a long hereditary connection with it, and therefore he felt an interest in it. He desired to know what guidance the House was under in respect to this Bill; for it appeared that the House enunciated one principle in one week and abandoned it in the next. Last night the right hon. Gentleman the Under Secretary for the Colonies (Mr. Adderley) had been put forward to raise the standard of "No Surrender;" but a little later in the discussion the Chancellor of the Exchequer surrendered at discretion, and was even more generous than the Member for Liverpool desired, for he threw in Leeds, as one would throw an additional penny to a crossing-sweeper.

MR. MORRISON said, he was in favour of carrying the principle of representation a great deal further than was now proposed. He favoured the direct representation of minorities. He was only sorry that his hon. Friend the Member for East Surrey was not able to bring forward his scheme, as it affected both boroughs and counties. But when Sheffield was singled out, and he was called on to give an additional representative to that borough, he could not admit that there was any specialty in the case which should induce him to vote in favour of the proposal. Leeds had a claim as the capital of the woollen industry of the country.

MR. SCHREIBER said, the case of Sheffield was in very good hands, but he wished to say a word or two in favour of Bristol, which was one of the great centres of industry.

THE CHAIRMAN said, that the Question before the Committee had reference to Sheffield only.

MR. GLADSTONE said, he would suggest that, for the convenience of the Committee, the two cases of Sheffield and Bristol, which were so nearly alike, might be considered together.

MR. ROEBUCK said, he had a horror of being a bore, and therefore would only say a few words. He thought there was a special case for Sheffield. It was a constituency so large that there was hardly another in the country equal to it at the present time to which it was not proposed to give a third Member. All the boroughs that were to have three Members, with the single exception of Leeds, were not larger in population than Sheffield. They had had it very often stated that if the Government were put into a minority they would desert the Bill. He had been very often frightened in that way; but, like the people who were called to by the boy that the wolf was coming, he had been so often called that he was no longer frightened. If they were to put the Government at that time into a minority, he had no doubt that the Chancellor of the Exchequer would see excellent reasons for immediately including Sheffield. He wanted to put that to the test. He had hitherto voted for the Government, because the Bill was too good to be lost. Having said this, he must add that what he had foreseen had come to pass. He was told by a right hon. Gentleman (Mr. Gladstone) and another hon. Gentleman very near him (Mr. Bright) that a Bill could not be improved in Committee. He thought the Bill had been improved in Committee, and he believed the proposal of his hon. Friend (Mr. Hadfield), if adopted, would still farther improve it.

MR. LAING said, he was placed in a position of considerable embarrassment by the present Motion, because he was the author of the proposal to give additional Members to six large towns, including Sheffield and Bristol. On the other hand, he felt there was considerable force in the appeal of the Chancellor of the Exchequer that these questions should be met in a spirit of compromise and conciliation. A good deal of obloquy had been thrown upon the Government in the course of this discussion by Members on the other side for having made the concession of an additional

Member to four large towns. He thought that concession was a most wise act on their part. He had urged additional representation mainly with a view of their arriving at some sort of settlement upon the question of re-distribution, which might be accepted by the common sense of the country as in a certain degree a permanent settlement. He therefore regretted exceedingly the decision to which the Committee came, under the pressure of the threat thrown out by the Government, by which any addition to the representation of large towns was rejected, though by a very narrow majority. He was not going to taunt the Government with inconsistency in having come forward with this proposal. Many inclined to take that course might have been quite as inconsistent if they had been in the places of the Ministers. It was an arduous and difficult task for any Government not commanding a decided party majority to carry a Bill of that sort through the House. On many occasions the second thoughts of the Government had been better than their first, and he thought it very honourable on their part that they had had the moral courage to reconsider this matter, and to bring forward a proposal in the spirit of compromise. As to the case of Sheffield, he felt pretty strongly that, under the peculiar circumstances which had transpired with regard to that town, the circumstances were very exceptional. He did not mean for a moment to say that the majority, or anything like a majority, of the people of Sheffield were tainted with the spirit which had produced these horrible outrages; but he thought it a good moral example, when a taint of that sort was introduced into a town, that they should not take that particular opportunity of giving it additional representation. In the case of Great Yarmouth, the House had decided on disfranchising a large and numerous constituency, of whom the majority was probably pure, because that pure majority had not exerted themselves sufficiently to prevent the introduction of the tainted and impure element. If, five years hence, when Sheffield had been freed, as he doubted not it would be, from the taint of that spirit, a seat should fall vacant in that House, he would be the foremost to support a Motion for giving that additional seat to Sheffield; but, under present circumstances, he saw no special ground for acceding to this Motion, and in the spirit of the compromise and conciliation exhibited by the Chancellor of the Exchequer last night, and accepting the offer then made, he felt bound to give a conscientious vote against the proposal of his hon. Friend. He did not for a moment wish to prejudge the question as to what the Committee might do in respect of the other places, whether to enfranchise or disfranchise them. His only desire was to intimate that, while he should vote to give additional Members to the four large towns, he should not feel at liberty to support the proposal for giving an additional Member to Sheffield.

MR. ROEBUCK said, that some time since, when a discussion took place with regard to the Pension List, the case of an unfortunate gentleman whose name began with A, and was therefore placed at the head of the list, was always being brought forward. The case of Sheffield, being the first of the kind, was placed at the head of the list, and it ran the risk of being continually brought before the House as a standing example. The Royal Commission had reason to believe that the evil which had been brought to light at Sheffield had spread further and deeper into the country at large. He was divulging no secret. They had asked the Secretary of State for the Home Department to bring in a clause to repeal the one which limited their inquiries to the town of Sheffield, and to enable them to extend their inquiries throughout Great Britain. The county of Lancaster was not the freest from taint.

MR. THOMAS HUGHES said, he must protest against what had just been stated. It would be improper to bring the matter before the House on that occasion; but as it had been stated that the Commissioners had asked for powers to carry over Great Britain the inquiry that had hitherto been carried on at Sheffield, he begged to say, as one of the Commission, that he did not understand it to be at all an application of that kind. The only application which had been made was to extend the inquiry to two places that the Commissioners had ear-marked, and which were in the county of Lancaster. Further than that there had been no application.

MR. ROEBUCK said, he wished to say a word or two in explanation of his previous statement. The application of the Royal Commission to the Home Secretary was that a clause should be introduced authorizing the Home Secretary to extend their powers of inquiry to the towns in the county of Lancashire, and also to any part of Great Britain, should they think fit to ask him for such an extension of their powers.

MR. GLADSTONE said, that quite independently of the point which had been raised by the two hon. and learned Gentlemen, he thought that the conclusion which was drawn by the hon. Member for Wick (Mr. Laing) from the recent lamentable disclosures at Sheffield was erroneous. In the first place, the hon. Member said that he would not at this particular moment enfranchise Sheffield, in consequence of the circumstances that had been brought to light by these deplorable disclosures, but that it might be done some little time hence with propriety. The hon. Member admitted that the claim of Sheffield to additional representation in other respects was very strong. But the opportunity of enfranchising a town did not occur every year. Therefore, when the time arrived, which he trusted would not be long, when Sheffield had purged itself of this taint, the opportunity for increasing its representation would have gone—for the question of the re-distribution of seats was not one to be needlessly opened from year to year. But he went still further, and demurred to the proposition that, because, unhappily, certain persons in that particular town had been guilty of these abominable and horrible acts, and because certain other persons—their number was at present unknown—might have winked and connived at these acts, on that account a smaller share in our political institutions was to be awarded to that town than would otherwise have been the case. If it were desired to strike at the very root of these outrages the labouring classes must be brought into closer union with those who represented them; if it were desired that they should adopt more universally the laws of freedom in their dealings among themselves in the labour-market they must be placed in as close connection as possible with the representative system. ["Oh!"] That, at any rate, was the opinion he had conscientiously formed, and he confessed it appeared to him to be a reasonable one; if there were reasons against it he should be glad to hear them. The more the people possessed the privilege of representation in that House, the less likely would they be to devise for themselves irregular and guilty means of asserting what they believed to be their rights, but what other people perceived to be outrageous wrongs. So much for the special ground which had been taken by the hon. Member for Wick, but which he did not believe would be taken into consideration by the Committee in coming to a vote upon the question before them. There were two other points bearing upon this question to which he wished to direct attention. In the first place, without any disparagement to the claims of the metropolis, he might say that the cases of Sheffield and Bristol stood upon ground in some degree peculiar to themselves, seeing that they were the remaining two towns out of the six which, by common consent—by their special and separate existence, by their great population and wealth—were taken to be in a special sense the great towns of England. The metropolis did not consist of a number of separate communities, but of subdivisions of one large community; so that the case of the metropolis ought to be treated rather by itself, than as standing on precisely the same ground as Sheffield and Bristol. The hon. Member for Wick said that the Government, having made a concession in the spirit of compromise, should be met half-way. But in looking at the question it must not be forgotten that the people had been waiting in long-deferred expectation for a settlement of the question of Reform, and that the wide measure which had been adopted during the present year in reference to the extension of the franchise had created, in the same degree, a desire on their part for an extension equally great with regard to the re-distribution of seats. In the belief that any decision which might be arrived at on this point would be a settlement of the question, not only within the walls of that House, but throughout the country at large, he was ready to go all possible lengths with the hon. Member for Wick in joining hands with the Government where they showed a disposition to meet reasonable demands, and to act upon the principle of compromise; but in the present instance he felt bound to support the proposal for giving an additional Member for Sheffield. A more important consideration, that led him to take that course, was an anxiety on his part that in passing this Bill they should leave no claim so prominent and powerful in character as would serve as a lever, either immediately or upon the meeting of the Reformed Parliament, for re-opening this great question. He felt convinced that if they left Sheffield and Bristol upon the footing upon which they now stood, especially after the concession which had been made in reference to the four towns last night, they would leave behind them that excitement and that cause of renewed agitation that it was their first and obvious duty to put out of the way; and, upon this ground, he felt that if they really did mean to settle the question the wise course was to vote for the Motion of the hon. Member.

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend the Member for Oxfordshire (Mr. Henley) has admitted the principle that the opinion of this House can only be arrived at legitimately by means of a division; but he has declared that he feels himself in a difficulty in consequence of my having deviated from that principle in adopting the course I did last night. ["Hear!"] No doubt by the cheers I hear that opinion is shared by other Members of the Committee, and I admit that it is one, the accuracy and soundness of which cannot be impugned. The principle, however, in its application, like every other, is capable of being modified, and let us see how that may apply in this instance. Taking the instances in which the opinion of the House on re-distribution has been expressed, there was in the first case an overwhelming majority in a full House, and in the second no inconsiderable majority in a full House; but in the case of the division on the Motion of the hon. Member for Wick, there was but a scant majority in a full House on the side of the Government. Although I am not prepared to say that where there is a majority, however slight, it is, as a general principle, expedient to deviate from its decision, yet, under the peculiar circumstances of the case, in advising the Committee yesterday to adopt the course I felt it to be my duty to recommend them, I considered I was justified in doing so, not only in consequence of the very small majority by which the Motion of the hon. Member for Wick was rejected. I found that that slight majority was not likely to continue. In the interval which occurred between the period of the rejection of that Motion and last night, frank and proper communications were made to me from a number of hon. Gentlemen who had voted with the Government on that occasion, and from those communications I learnt that I could not count upon receiving any further support from them upon this subject, unless Her Majesty's Government would reconsider the case, and were prepared to make some proposal to the House which would show that we were willing to meet them in a spirit of compromise. Under these circumstances Her Majesty's Government came to the conclusion that it was their duty to make the concession to which I announced yesterday we were willing to assent. I thought it would be unadvisable to ask the House to come to a division again upon the question—a course which must under all the circumstances have imported, most unnecessarily, party feeling into our labours, and which, considering the stage at which the Bill had arrived, would have been a most unwise one to have adopted. I thought it would be most unadvisable to have unnecessary divisions upon the question, which would have failed to carry out the object all sides desire to see accomplished; whereas, by treating this subject in a spirit of compromise, we have a fair chance of carrying that more moderate proposal which we recommended for adoption by the Committee. This proposal involves no assertion of new principles in our Parliamentary representation. We have opposed, and are not friendly to, the unnecessary development of the principle, but the principle has been accepted by the House long ago. We have counties with three Members: I regret that arrangement, but it exists; it has existed for some time, therefore it is merely a question of degree. We believe that at this moment the principle may be extended to a very moderate degree, whereas when the proposal of the hon Member for Wick was made there was every prospect, from the Motions on the Paper, and from the mode in which the hon. Member proposed to apportion the increased representation of the counties, that if he had succeeded then it would have led to a new machinery in our Constitution of which we have little experience, and which, in fact, would involve a great and, as we believed, a dangerous change in the mode of election. The hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck) said that hitherto he has supported Her Majesty's Government in their course from a feeling of fear. I am sorry to hear that. I was in hopes that his conduct had been influenced by a more tender sentiment. I assure the hon. and learned Member that the Government have been very sensible of the honourable, disinterested, and spirited support which very often during this great struggle they have obtained from him, and coming from one who has gained so much of public respect, and who speaks in this House with such authority, we have duly appreciated it. But although I can fully understand why the hon. and learned Member should seize this occasion of advocating the interests of his constituents and assert the claims of his locality, I am bound to say that I do not think the Committee ought to accede to his proposal. In my opinion a fair distinction may be drawn between the circumstances of these great cities as to the amount of their population and of their property. I must remind my hon. Friend (Mr. Liddell) that I have not at any time pretended that the course of the Government depended merely upon the principle of population. It is very convenient to refer to the question of population on these occasions. But, while I believe that few hon. Members would recommend that the extension of representation should depend merely upon population, no one would pretend that, in considering the case of any of these great cities of the North, population should not be considered in deciding the amount of their political interest. If you take Manchester, Birmingham, Liverpool, and Glasgow, you have in point not only of population, but of property, four great cities that stand apart from all others. With regard to Glasgow, we have made a proposal which I think a very wise one, and which I believe will be adopted in due course by the Committee. The claims of Manchester, Liverpool, and Birmingham will be conceded according to the scheme to which we have assented. With regard to Leeds, the population and the property of that town are not so considerable as in the four cities to which I have adverted. But there is something in the distinct industry of Leeds, in its local position, and in many other circumstances, besides its considerable population, which mark it out as one of the places which, if you choose to adopt this course, ought not to be omitted from consideration. Under these circumstances, we proposed as a compromise—for I defy anybody to attempt to adjust any of these matters upon a clear and severe principle of representation—that, taking a general view of the case, the Committee should adopt this course. I think it is unwise to proceed further in this direction, and therefore I must, under all the circumstances, oppose the Amendment of the hon. Member for Sheffield.

MR. WALROND said, that he would vote against the hon. Member for Sheffield on the same ground that he had voted against the hon. Member for Wick's proposal, and would have voted if he were in the House on the preceding night against the concession of the Chancellor of the Exchequer. He would do so, because he did not see how they could expect agitation to cease so long as they gave a third Member to certain towns and withheld from other large and important towns any representation whatever. The right hon. Gentleman (Mr. Gladstone) had advocated this doctrine—that as Sheffield was composed, in great part, of a criminal population, it was therefore desirable to place this population in closer connection with the representation than they now were. In his opinion, this was not a reason for giving a third Member for Sheffield.

MR. HADFIELD said, that the town of Sheffield was in mourning, in consequence of the circumstances that had occurred, and the best remedy for what was wrong would be increased political power. Good order had always prevailed during election time.

MR. HIBBERT said, he should vote against the Amendment, not in consequence of the remarks of the hon. Member for Wick (Mr. Laing), because he thought that the unfortunate disclosures before the Royal Commission ought not to have been brought into this discussion, but because he accepted the clause of the Chancellor of the Exchequer as a compromise.

Question put, "That the words 'and Sheffield' be there inserted."

The Committee *divided*:—Ayes 122; Noes 258: Majority 136.

MR. MONK said, after the division that had taken place he should ask his hon. Friend the Member for Bristol to refrain from moving his Amendment. He (Mr. Monk) had placed a Notice on the Paper to this effect — that henceforward Clifton should cease to form a part of the city of Bristol for electoral purposes, and that in all future Parliaments Clifton should be a borough, and be entitled to return one Member. He had taken that course upon the principle enunciated by the Chancellor of the Exchequer. In the present temper of the Committee he thought it was impossible for his hon. Friend to carry his Amendment. He did not think the Chancellor of the Exchequer wished to treat any part of the country unjustly; but it appeared to him that West Gloucestershire was treated with greater hardship (he would not say the grossest injustice), than any other county in the kingdom. It contained upwards of 300,000 inhabitants, and had only one borough in it—namely, Bristol, containing 163,000 inhabitants. Clifton had altogether distinct interests and had a different class of inhabitants to those of Bristol; it contained 32,000 inhabitants, and presented a somewhat similar case to that of Glasgow, to which the Chancellor of the Exchequer proposed to give an additional Member.

Mr. H. BERKELEY said, he regretted he could not comply with the request of his hon. Friend, nor was he convinced of the necessity of separating Clifton from Bristol, and making it a separate borough. He felt so strongly the right of the old city of Bristol to an additional Member that he should persevere with his intention, and he now moved that the words "city and county of Bristol" be added to the clause.

Another Amendment proposed to the said proposed Amendment, after the word "Leeds," to insert the words "and the City and County of Bristol." — (*Mr. Berkeley.*)

Mr. SCHREIBER said, that the Bill took away two Gloucestershire seats—Cirencester and Tewkesbury. Seeing that Gloucestershire contained the largest city (Bristol) that had now only two Members, the largest town (Cheltenham) that had only one Member, and the largest division of a county that was not to be subdivided, he thought that Bristol might fairly claim an additional seat. No county in England and Wales had been treated with greater hardship in the Reform Bill than the county of Gloucester.

Mr. NEVILLE-GRENVILLE said, he thought that Bristol had a claim to an additional Member, and that all the seats that were gained should not be given to the large towns in the North.

The ATTORNEY GENERAL said, he could not hear the claims of the county of Gloucester mentioned without saying a word in its favour. The only reason for his not voting for the addition of Bristol to the clause was the hope that when they came to the consideration of the counties, a strong case would be made out for West Gloucestershire on the grounds of its population, its variety of interests, and its extent of area.

Mr. SMOLLETT said, he wished to say a word of comfort to the hon. Members for Bristol and Sheffield. There would be plenty of opportunities of meeting the just claims of those boroughs. The right hon. Gentleman the Member for South Lancashire had told them that the opportunity of enfranchising a borough did not often occur. He thought that opportunities of this kind would very soon occur. It was more than likely that at the very first election under this Bill a considerable number of constituencies would be disfranchised for bribery and corruption.

Mr. PRICE said, he thought the claim of West Gloucestershire was stronger than that of Bristol, and if the Attorney General could assure them that that claim would be recognized by the Government he should not vote for this Amendment.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 136; Noes 235: Majority 99.

The CHAIRMAN said, that the Question was that the clause be amended by inserting after the word "Parliament" the words "the city of Manchester, and the boroughs of Liverpool, Birmingham, and Leeds shall each respectively return three Members to serve in Parliament."

Mr. CHEETHAM said, there could be no doubt that Salford would have to suffer in order to give an additional Member to Manchester. Very soon after the Bill was placed on the table he gave notice of a Motion that Salford should have an additional Member. From what afterwards occurred, the borough authorities were led to suppose that the Chancellor of the Exchequer intended to give that borough an additional Member; but now they were informed it was to be taken away and given to Manchester. He considered that Salford had stronger claims for additional representation than Manchester. He appealed to the right hon. Gentleman the Chancellor of the Exchequer as to whether he would insist on his determination to deprive the borough of Salford of an additional Member in consequence of the course taken of increasing the representation of Manchester, Birmingham, Liverpool, and Leeds. If he did so the country would witness the anomaly of Salford, with a population of 130,000, returning only one Member, and Birmingham, with 190,000, returning three.

Question put: Words *inserted.*

Mr. Serjeant GASELEE said, he

wished to propose that the following words be added to the clause:—"And that each of the said boroughs shall, for the purpose of election, be divided into two wards." If the clause was passed, he should propose that his Amendment be put into a separate clause. What he wished to do was to bring his proposal before the Committee. He proposed to deal with these boroughs in the same way as the Chancellor of the Exchequer intended to deal with Glasgow—namely, to divide them into two wards, not into three. The one ward would return two Members, and the other one. He regretted that the threat held out by the Chancellor of the Exchequer with reference to his (Mr. Serjeant Gaselee's) former Amendment—namely, that he would abandon the Bill—had operated on the minds of hon. Members. He was under the impression on the Friday that the Amendment, which was the best that had ever been brought forward, would be supported; but on the Monday came the threat of abandoning the Bill. Speaking in a Parliamentary sense, considering what had happened, he did not think they could rely on what the Chancellor of the Exchequer had said that day. The Bill without the Amendment to which he alluded would be mere waste paper, and he assured the Committee it would be again brought forward. The Bill, if amended as he proposed, would be a very good Bill, and to withdraw it would be a great misfortune to the country. When the Bill was amended by the adoption of his present proposal, he had no doubt that the Chancellor of the Exchequer would find some reason for accepting it.

THE CHANCELLOR OF THE EXCHEQUER said, that before the Amendment was put, the words from "the several boroughs named in Schedule G" down to the end of the clause would have to be struck out in consequence of his own Amendment upon the original clause of the hon. Member for Liverpool having been accepted. He moved accordingly.

Words *struck out.*

MR. SERJEANT GASELEE said, he moved the following as the words of his proposed Amendment:—

"And the said boroughs shall, for the purposes of an election, be divided into two wards, one to return two Members and one one."

Amendment *negatived.*

MR. BRIGHT: I wish to ask the Chancellor of the Exchequer when he will inform the Committee how he means to get the four Members which he intends to give to Liverpool, Manchester, Birmingham, and Leeds. The right hon. Gentleman last night in rather a jocular tone proposed, I thought, to take a Member from Salford; but, if I am not mistaken, the new clause giving that borough an additional Member has already received the assent of the Committee. ["No, no!"] I believe I am right in what I have said, and if I am it will be necessary for the right hon. Gentleman to repeal that clause, supposing him to be in earnest in what he said last evening. I was, I may add, surprised to hear my hon. Friend the Member for Oldham (Mr. Hibbert) speak of a compromise in connection with this matter; but that seems to me to be a very odd sort of compromise which is all on one side. No proposal came from these Benches, nor was it proposed by the hon. Member for Liverpool (Mr. Horsfall), that those four additional Members should be taken from four boroughs which, by the Bill, it was intended to enfranchise, and to which proposal the Committee had agreed—at least a part of it—and to disfranchise or discontinue the proposed enfranchisement for the purpose of giving the four Members to large towns. That was not the proposal before the Committee. There is no compromise in it. But I suppose, as a question of party or of great results, nobody cares in the least whether a Member be given to Salford or Manchester, or whether one be given to West Bromwich or Wednesbury, or to the town of Burnley. The right hon. Gentleman is a little shuffling the cards in giving four to one class of boroughs and taking them from another class. That was not the proposal before the Committee. ["Order!"]

Question put, "That the clause, as amended, stand part of the Bill."

MR. BRIGHT: I did not wish to move that the Chairman report Progress, because it causes delay; and I do not in the least wish to cause delay. I wish to show the Committee that the Chancellor of the Exchequer, according to his proposal, in which I hope he is not in earnest, is depriving four boroughs, which he proposed to enfranchise, as in the case of Salford, for the purpose of conferring an additional Member each on those four towns. Therefore I say it is not a compromise, and I am very much surprised at the credulity of my hon. Friend the Member for Oldham in being influenced by such a proposal. It may be quite right to get rid of four of the smallest of the boroughs in the Schedule to give the seats to large boroughs; but that was not the question before the Committee, and I think the Chancellor of the Exchequer might have taken them from some other source—say, two from the boroughs and two from the counties. That would be something in the nature of a compromise both sides of the House might have consented to, but it is not so now. When we recollect that the five seats for the boroughs of Lancaster, Great Yarmouth, and Reigate—for I say nothing of Totnes—belong to the boroughs and ought to have been given to the boroughs, and to which the counties had no right, I say the course taken by the Chancellor of the Exchequer is not a fair course, or one in general harmony with the object of the Bill. The Chancellor of the Exchequer has not explained the course he will take, and I rise for the purpose of asking him to explain it before the clause is finally agreed to, and to intimate when he will say from what source he will take the four Members proposed to be given to these large towns?

The CHANCELLOR of the EXCHEQUER said, the hon. Member for Birmingham says I am only shuffling the cards in proposing to take four Members from the boroughs we originally intended to enfranchise and giving them to the large towns named in this clause; but that, I would remind the Committee, is the policy which he himself has always recommended. The hon. Gentleman has always proposed to disfranchise some of the small boroughs, in order to increase the representation of the large ones, and how, under those circumstances, he can call our policy a mere shuffling of the cards I am at a loss to understand. I have intimated to the Committee already quite clearly the source from which we recommend that the additional Members should be taken which by their decision are to be given to the four larger towns. We must find them in the Schedules of the boroughs we meant to enfranchise. The idea of a compromise entertained by the hon. Member for Birmingham is that we should take two Members from boroughs and two from counties; but to ascertain the justice of that proposal, I should have to enter again into the whole question of the balance of our representation and the manner in which

counties, as compared with boroughs, are now represented. That, however, is a subject into which I am sure the Committee has no wish that I should enter. The hon. Member for Birmingham, I may add, always takes refuge in those exploded fallacies on which I should have thought a man of his talents and standing would scarcely have found it necessary to descant in his Parliamentary exercitations. He wrings his hands over the assaulted interests of the four boroughs with which we have to deal, but he quite forgets that the borough is now double the county representation. If there be one subject on which both sides of the House are unanimous it is that the moderate addition to the county representation which the Government propose should be supported. I shall certainly resist any attempt to curtail it. The proposal we have made is in the nature of a real compromise. It is a very fair one. According to our original plan, we had a representation more distributed over the country, and which would have given Parliamentary life to new constituencies, but which, in the opinion of the House, ought to have added to the representation of some important constituencies which they deemed not adequately represented at present. We have conceded that point, and, with certain modifications, have endeavoured to carry it into effect. I have sufficiently indicated the source from which the four representatives for those large towns are to be derived, and, though it is unnecessary at present to go into details, I may add that it is in the Schedule we must find them.

Mr. GLADSTONE said, that Salford was not in the Schedule, and that the case of that town had already been fully considered and decided on, the Committee having declared that it should return two Members. The Chancellor of the Exchequer, however, intimated that he would ask the House to recede from the decision and deprive Salford of that privilege which he had announced should be given to it. The alteration could not be made in Committee; but must be made out of Committee, if the right hon. Gentleman's present proposal were adhered to. It had already been enfranchised with Merthyr Tydvil in a separate clause. The Government must be prepared for the most resolute resistance to any attempt on their part to amend the clause on the Report. If he demurred to his hon. Friend's definition of a compromise at all, it would be because it conceded too much to the right hon. Gentleman. The only way in which there could be anything really deserving the name of compromise would be in the enlargement of the number of seats proposed to be dealt with — a number which he contended was wholly inadequate. It was certainly not by—he would not say "shuffling," the right hon. Gentleman did not like the term—but not by any shifting of the cards backwards and forwards that the right hon. Gentleman would give satisfaction. A real concession, and one that would impart to this scheme of re-distribution any character of permanence, would be one that would render available more of the seats at present assigned to insignificant boroughs. There would be no prospect of anything like permanence in the system of re-distribution, except through an enlargement of the number of seats to be rendered available. The right hon. Gentleman, with all his power of charming, could not succeed, "charm he never so wisely," in producing a permanent settlement by a plan so limited and inadequate.

MR. AYRTON said, that the time was approaching when the question would be asked whether the House intended to pass the Bill in the present Session. If it were not passed, the country would like to know on which side of the House the fault lay. In that case, the verdict of the country would be that it was on that (the Opposition) side, and not on the other; and if they did not take care they would not escape the censure of the country. When the Committee by a large majority had arrived at a conclusion it was absolutely necessary that they should proceed on that conclusion. The Committee had deliberately decided that it was impossible, under present circumstances, entirely to disfranchise any town. ["No, no!"] Well, it was a question of fact, and if any hon. Gentlemen could have charmed the House to a different conclusion, it was a pity they had not exerted their powers when the question was before them. The Government had submitted a scheme to the House, and having carefully examined it, he was bound to say that on the whole it was just and fair. Of course, it might be altered in its details; and the House had, in point of fact, decided that it would be better to give Members to Liverpool and Manchester — that was, to communities of 300,000 or 400,000 persons—than to other Lancashire boroughs with only 20,000 or 30,000 inhabitants. When the Government spoke of a compromise they did not mean a compromise of principle or a compromise between the two sides of the House, but a compromise between their own friends. He trusted that the House would never allow itself by any power of speech or accidental combination of circumstances to be overborne by Lancashire, but that it would consider what was best for the interests of the country. The Gentlemen of Lancashire were much mistaken if they supposed they would be allowed to appropriate the representation which belonged to the South of England. If they wished to make progress with the Bill, they might proceed at once with the consideration of the Government Schedules, and vote on them, instead of on these isolated questions. If they did that, they would get through their work very soon—otherwise, they would only be frittering away their time and making no progress.

THE CHANCELLOR OF THE EXCHEQUER said, that he should be prepared to state on Thursday what modifications he would make in the Schedule, and he should be glad to find the Committee follow the sagacious advice of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), and proceed to the consideration of the Government Schedules, though he would not say that there might not be some points to consider first.

MR. GLADSTONE said, he should be glad to do so, but in his case it would be impossible. The county Schedule contained only divisions with two Members each, and he wished to propose that South Lancashire should be formed into two divisions, with three each.

MR. BRIGHT: I think it is quite right that we should hear on Thursday what are the intentions of the Government; but I hope the Chancellor of the Exchequer will take the four Members from the most insigificant, and not from some of the largest towns, to be found in the Schedule. I object to their being taken from the boroughs at all; but if he is determined to do that, I hope he will not put such a strain upon the fidelity of some of his supporters on this side of the House as to ask them to support the disfranchisement of some of the largest instead of some of the smallest towns in the Government schedule.

MR. PEASE said, he demurred to that doctrine and protested against the application to Durham of the last Census. At

Stockton-on-Tees, for instance, there had been an increase of 70 per cent in the population and rateable value since 1861.

Mr. HENRY SEYMOUR said, he thought it would greatly facilitate progress if on Thursday the Government would state whether they saw their way to accept the Schedule of the hon. Member for Wick with reference to the grouping of boroughs. That certainly was the mode in which additional Members could most easily be obtained, and the principle of grouping had already been successfully carried out in Wales and Scotland.

Motion *agreed to.*

Clause, as amended, *added* to the Bill.

Mr. LAING said, he had proposed his clause for grouping boroughs originally as part of a complete scheme, based on a certain amount of enfranchisement. Seven seats were to be got in this way, because that number were required for the boroughs to be enfranchised. On the whole, he had no reason to complain of the manner in which the House had dealt with the proposal, a great part of it having been adopted. But the precise number of seats proposed to be got by grouping were no longer required, and he concurred in the opinion that any measure of disfranchisement should follow rather than precede enfranchisement, when the extent to which that was to be carried had been finally determined upon. It would not, therefore, be for the convenience of the Committee that he should press his proposal for grouping at the present moment, when they were ignorant of the exact amount of enfranchisement. It would be better to adopt the course suggested by the hon. Member for the Tower Hamlets, that they should assist the Government in getting to their Schedules, which contained the real gist of enfranchisement. They would then know the precise manner in which the Government proposed to deal with the four large towns to which additional Members were to be allotted; and they would be in a better position to judge how far it would be necessary to resort to grouping in order to supply them. Sooner or later the very extended franchise now adopted would lead to a much wider system of distribution and more direct representation, which must be at the expense of the small boroughs. But the question was whether they would adopt this system at once, or be content to arrive at it by two separate steps. On the whole, he preferred the more prudent and cautious course, if they could arrive at a fair compromise this Session, based on a system of permanence, not for ever, but for a term of years. He hoped the Government would re-consider the point in regard to Salford, because he felt that on questions of this kind, to supply the wants of Manchester by taking away the additional Member already given to Salford was robbing Peter to pay Paul. He would for the present not bring forward the clause of which he had given notice.

Mr. NEATE said, he moved the insertion of the following clause to follow Clause 17:—

> "Where any corporation, lay or ecclesiastical, shall be entitled as owners in their own right to lands or tenements of freehold tenure in any county, and such lands or tenements shall be let at rack-rent, and the rent recoverable therefrom in any one county shall be such as would give to each member of such corporation, according to the rules or statutes of such corporation, a sum of not less than £20 as his annual share thereof, then every member of such corporation shall be entitled to be registered as a voter, and, when registered, to vote at the Election of a Member or Members to serve in Parliament for such county."

The CHANCELLOR of the EXCHEQUER said, the clause would introduce a new principle of representation hitherto unknown to the law of England, and the Committee would no doubt hesitate before they accepted it. Corporations hitherto had not been permitted to do any personal act. According to Lord Coke, having no souls they could not be ex-communicated. What the consequence of such a clause would be he could not venture to foretel. That he must leave to gentlemen of the long robe; but that it was a great innovation no one could doubt, and in his judgment it was altogether unnecessary.

Clause *negatived.*

Mr. HIBBERT said, he had to move a clause to render the payment of expenses of conveying voters to the poll illegal. The subject was not one that would give rise to any party feeling, as both Liberals and Conservatives were equally affected by the enormous election expenses which candidates had to pay. He thought that the time had come when the House of Commons should make an attempt to reduce the burden which lay so heavy upon them. He admitted that the question was surrounded with difficulties, but he believed that those difficulties were not insuperable. According to the Returns laid before the House last Session, the legal expenses of carrying on elections in the United Kingdom at the last General Election was something like £800,000; but they all knew that the actual expenses were much greater than those which the returning officer returned as legal expenses. Of this sum no less than £100,000 was paid for the conveyance of voters to the polling-places, and he found, on making a comparison, that the expenses of the Conservative and Liberal candidates were pretty nearly equal. By 21 & 22 *Vict.* c. 87, it was provided that it should be lawful for any candidate or agent to provide a conveyance for any voter for the purpose of voting, but the Act made it illegal to give money to any voter in respect of his travelling expenses. This Act was continued by an Act passed in 1861; but in 1860 a Select Committee inquired into the operation of the Corrupt Practices Prevention Act of 1854, and recommended that the conveyance of voters should be prohibited in boroughs but not in counties. He admitted that in counties there were reasons for continuing the conveyance of voters which did not exist in boroughs, the population of counties being scattered, and the polling-places often very far apart. With respect to boroughs, he might be met with the objection that the clause would bear hardly upon the poor man; but he thought that the poor man who cared about exercising the franchise would not be debarred from doing so by reason of his not being conveyed to the poll. In Durham, at the last election, the cost under this head for the Northern division was nearly £3,000; in the Southern division, £2,456; in South Lancashire it was £4,947; in the borough of Chester, £707; in Lancaster, £804; in Liverpool, £1,084; and in other boroughs in the same proportion, the expense, as he had said, being borne pretty equally by the two parties. He objected to this practice both on account of the great expense it occasioned and also because it was a practice that afforded a great opening to bribery and corruption. As they were now about to increase the numbers of the constituencies, also to increase the number of the polling-places, he thought the occasion a very proper one for making an effort to repress this large source of expense at elections, and he trusted the Committee would accept his clause.

Moved, That the following clause be added to the Bill after Clause 23:—

"It shall not be lawful for any candidate, or any one on his behalf, at any election, to pay any money on account of the conveyance of any voter to the poll, either to the voter himself or to any other person, or for any other person to receive from any candidate, or any one on his behalf, any money on account of such conveyance; and if any such candidate, or any person on his behalf, shall pay, and any such person shall receive, any money on account of the conveyance of any voter to the poll, such payment shall be deemed to be an illegal payment within the meaning of 'The Corrupt Practices Prevention Act, 1854.'"

MR. P. WYKEHAM MARTIN said, he was of opinion that if polling-places were multiplied, as the clause contemplated, election expenses would be increased instead of diminished. Travelling expenses formed but a comparatively small proportion of the total outlay. In an election for South Warwickshire, while the total expenses averaged £4 12*s.* for electors polled, the travelling expenses were only 11*s.* 8½*d.* A wide election experience led him to believe that there was little or no corruption under this head. The payment of the election conveyances was never made the excuse for bribery; and, in the long run, it would be both cheaper and better to pay the expense of conveyances than to increase the number of polling-places, which would inevitably result in a corresponding increase in the charges of agents, collectors, and other officers.

MR. CLAY said, he differed from the hon. Member who had just spoken, and thought that, in every way, the present system lent itself to corruption. In boroughs if the cab system were continued it would be impossible to poll the new constituency within the time allowed for polling. Time would be saved by making the voters walk to the poll; for there were never cabs enough to convey them all, and constant delays arose in consequence. But as regarded counties, he was assured on good authority that it would often be impossible to poll the constituencies unless the use of conveyances was allowed. He therefore recommended his hon. Friend to limit the operation of his clause to boroughs, and in that case he hoped the Committee would support it as an additional means of introducing purity and good order during an election.

MR. HENRY BAILLIE said, that the clause, if applied to counties, would disfranchise a large number of electors, for it would be impossible to carry polling-places to every man's door. In his own county many of the electors had to go 120 miles to the poll, over a country in which there were no public conveyances. Some of them lived thirty miles out in the Atlantic, and could not come to the poll unless steamers were sent for them. The case was different, however, in boroughs, and there he thought some such clause as that of the hon. Member would be useful. If the Committee had agreed to the proposal respecting voting papers, this question would have admitted of easy settlement.

Mr. HEADLAM said, he had had some experience in this matter. Some short time ago he was threatened with an opposition, not of a very formidable character, and he did not think it necessary to incur any expense in conveying voters to the poll. He found, notwithstanding, that the voters came up quite as well as when the conveyance was provided. He polled 2,200 voters, which was as large a number as he was accustomed to do on former occasions, and, what was more, the town was infinitely more quiet. He believed if the hon. Gentleman would confine his Motion to boroughs it would meet with almost unanimous support.

Mr. OSBORNE thought that however much the toiling millions might be delighted at the prospect of this Bill passing, it was not so much a subject of rejoicing to future candidates. Nothing having been done to lessen the expense of a contest, he looked forward with perfect horror to the idea of a contest, where there were 20,000 voters. They had refused to allow the expense of hustings or polling-places to be taken out of the borough or county rate, they allowed the payment of messengers, though they were not to be voters; and now the proposal was hanging in the balance whether provision was to be made for the conveyance of 20,000 voters in cabs and omnibuses. He had had some experience on this subject, and though the hon. Gentleman below him (Mr. Wykeham Martin) argued that this was a matter of 1*s.* 6*d.* a head, a connection of his represented Rochester for many years and found the case very different. He knew, moreover, that nobody could presume to enter upon a contest for Middlesex unless he was prepared to put down, at a moderate calculation, £2,000 for cabs. This acted as a direct bribe to livery-stablekeepers, and the man who was able to spend £3,000 for cabs got all their votes. The Committee, by the policy they were pursuing, were making the House only accessible to millionaires and great landowners, and were wiping out all chance of any man of moderate means getting in. It was all very well for the hon. Gentleman below him, who had an enormous rent-roll, to talk of this as a mere fleabite; for what was a fleabite to him was a very different thing to the man of modest means. He hoped, however, this proposal would be confined to boroughs; for there were great difficulties in applying it to counties, particularly that agreeable county (Inverness) represented by the right hon. Gentleman opposite, who of course would never undergo a contest, because nobody could pretend to compete with him in chartering steamboats. If the Committee were really sincere—which he had always doubted, for he believed their policy was to confine the House to wealthy men—here was a good opportunity of showing their sincerity by supporting the clause of the hon. Member for Oldham, and so strike at the root of a great deal of bribery and corruption.

Mr. GLADSTONE said, he recommended his hon. Friend to simplify the matter by consenting to limit the clause to boroughs, with respect to which the argument was really all on one side. There might be exceptional cases, such as grouped boroughs; but even there he thought it would be better that provision should be made for the establishment of polling-places in each of the boroughs. As to boroughs in general the whole thing was absurd, and he could point out the absurdity even in the cases to which reference had been made. With regard to Chester, it must be remembered that the expense of cab hire had no relation to the number of voters conveyed, and the fact of more being paid by one candidate, who polled only half the average number that the other three did, only showed how the candidate was made a victim of. The charge was not proportioned to the number conveyed, but the same amount of booty was expected from one candidate as from another. Conveyances were charged for, not according to the number of men that were conveyed to the poll, but those who were interested in the hiring of conveyances charged their expenses without reference to the work. The House had not heard much from county Members on this subject; but he hoped that, in a modified form, it would be found possible to make some provision for the county Members. If the plan were adopted for the boroughs —and he believed it would be almost unanimously adopted—and if no similar lief were afforded to the county Members he should think it a great hardship. He hoped some of those gentleman who were well acquainted with the subject would consider whether some modification of the clause could not be applied to the counties.

MR. HIBBERT said, he would accede to the suggestion that the clause should be confined to boroughs.

VISCOUNT GALWAY said, it would be necessary to insert a proviso for such boroughs as that which he represented (East Retford), which extended over a large area, and were, in fact, in the condition of counties.

SIR ROBERT COLLIER said, that when he brought forward this question to forbid the conveyance of voters to the poll, a few years ago, he made exception of such boroughs as the noble Lord referred to. Notwithstanding, his Motion was defeated by hon. Gentlemen opposite.

MR. NEVILLE-GRENVILLE said, he would like to see the expense of conveying voters to the poll declared illegal as much as the right hon. Gentleman opposite, but he defied them to do so as long as things remained as they were. If the Committee could reopen the question of voting papers they might dispense with the practice, but he did not see how it was to be done otherwise.

MR. STEPHEN CAVE said, he had carried a division against the late Government on this point in 1862, because in the case of agricultural boroughs it practically disfranchised a large number of voters. His borough (Shoreham) was as large as Rutland, and though he had since carried a Bill under which the polling-places had been increased from two to seven, they were still not sufficiently numerous to be within easy reach of old and infirm voters. When money was paid to voters on account of travelling expenses, great abuse took place; this was no longer the case, and though he would be glad to be spared the expense, he saw no possibility of it, so long as the present mode of taking the poll was retained.

MR. AYRTON said, he would urge the House to consider what they were about before they passed this clause. The question had been under the consideration of the House some years ago, but they were not able to agree upon the terms of the clause. The present state of the law was passed at his (Mr. Ayrton's) suggestion. If the present clause were passed this ridiculous consequence would follow—that if a gentleman hired a carriage to take himself to the poll, and then took up another voter along with him, he would be liable to all the penalties of bribery. He suggested that the clause should be withdrawn, and that the Government should bring up a clause more distinctly defined.

MR. HUNT said, he would appeal to the Committee not to be impatient to pass this clause, as the change which it would introduce was one of considerable magnitude and had not been duly considered. He maintained that it operated in favour of the poor candidate rather than the rich to allow voters to be conveyed to the poll. Suppose, as frequently happened, the rich candidate was supported by all the owners of horses and carriages in the constituency, what a disadvantage would the poor candidate be placed at if he were not allowed to hire vehicles to convey his supporters to the poll. Even with regard to boroughs, it would be a very serious matter to the poor man if they were to pass this clause. If they wanted to place all candidates on an equal footing, they must go further, and say that no man ought to be allowed to ride to the poll. Otherwise, there would always be a difference in favour of the rich as compared with the poor candidate. He admitted that the thing was wrong in principle, and that the real remedy was to bring the polling-places nearer the voter. The right hon. Gentleman opposite thought the case of the boroughs was a simple one, but he did not seem to be aware of the immense areas of many boroughs. This question with regard to boroughs had been under consideration before, and on that occasion he gave the House some statistics which he wished now to quote again. It appeared that there were 37 boroughs whose area was 15 square miles, 22 with an area of 20 square miles, 21 with an area of 25 square miles, 15 with an area of 30 square miles, 11 with an area of 35 square miles, 4 of 45 square miles, 1 of 47, 1 of 49, 1 of 69, 1 of 73, and 1 of 78 square miles. He quite admitted as a principle that they ought not to convey any voter to the poll who was able to walk there, if the poll was at a reasonable distance. But it must be remembered that there were aged and infirm people, and would it be maintained that no mode of conveying them to the poll should be allowed? He understood that as regarded counties the point had been given up, but with respect to the large boroughs the case rested on exactly the same footing.

He should be sorry if, in their zeal for purity, they inserted a clause which would not work, and he suggested that it should be carefully considered, and brought up again on some future occasion.

House *resumed.*

Committee report Progress ; to sit again upon *Thursday.*

MARTIAL LAW—CHARGE OF THE LORD CHIEF JUSTICE.—RESOLUTION.

MR. O'REILLY said, he rose to call attention to the law as laid down by the Lord Chief Justice of England in his Charge to the Grand Jury at the Central Criminal Court on the 10th of April, 1867, in which he declared it to be the unquestioned and unquestionable law of the land that no English subject can be subjected to martial law ; and also to the statement made on the 11th of March by the then Secretary of State for the Home Department (Mr. Walpole) that the Government had not the intention of at that time proclaiming martial law, and hoped there would be no necessity to proclaim it ; and to move a Resolution on the subject. To him, as an Irishman, the subject had a vital and a thrilling interest. It touched him and his countrymen more than it touched England and Englishmen. To them it was a vague tradition of the past ; but to Irishmen, almost within the memory of living men, it had been a bloody and a cruel reality, and even within his lifetime it had been clamoured for by those who ought to have known better. When he heard the statement of the late Secretary of State, he at once determined to challenge the right of Government to proclaim martial law ; but he postponed doing so, in order not to embarrass the Government, and knowing that a large part of the Session was still before them. More than 200 years had elapsed since the last attempt was made to enforce martial law in England, but judging from the statement of the late Secretary of State for the Home Department, in which he said it was not "at present" the intention of the Government to proclaim martial law in Ireland on the Fenian outbreak, it would seem there was still the danger of such a barbarous law being revived in that country. He had no idea when he first directed his attention to this matter with the view of bringing it before the House that he would find so powerful an ally in the Lord Chief Justice.

If the masterly Charge of the Lord Chief Justice had been an authoritative decision of the Court of Queen's Bench, it might have been considered to have set the question at rest, but the form in which it was promulgated did not give it the weight of such a decision. The whole case could not be better put than in the words of the Lord Chief Justice, who said the simple question was, whether the Sovereign, by virtue of the Prerogative of the Crown, in the event of rebellion, had the power of establishing and exercising martial law within the realm of England, and whether there was such a thing as martial law known to the law of England ? It was quite clear that Parliament might enact martial law—that was, it might pass a law declaring that men should be tried by courts martial, and that they should be English tribunals. That, however, would not be martial law in the sense in which he was using the term, but it would be the law of England. There was first the law of war, then the law of necessity in war ; again the law of necessity not in war, and further that branch of the law of necessity which would justify acts to prevent a crime when it could not be in any other way prevented. Any one would be justified in slaying a man in the act of attempting regicide, or about to blow up a magazine with the view of destroying barracks and their occupants, and such exceptions extended to the acts of bodies as well as individuals. The law of necessity would also justify the executive Government on its own responsibility in taking steps for the preservation of social order. It extended—as he had stated—not only to individuals, but to bodies. It was natural that in every application of the law of necessity, men should have recourse to the authority of superiors—soldiers to officers, officers to the Commander-in-Chief, the military authorities to the executive Government, and that to Parliament—for indemnity on proof of necessity sufficient to justify resort to the measures adopted. A person who acted under a proclamation of martial law might adduce it as a proof of the existence of a necessity which would justify him in asking for an Act of Indemnity. The question came simply to this—did the Royal Prerogative extend to the creation of a new law ? It might, perhaps, be thought that this was an old and Constitutional question which had been set at rest long ago, but this was not the case. Magna Charta declared that no freeman should be arrested or imprisoned but by the lawful judgment of his peers and according to the law of the land. That Charter had been ratified thirty-five times. The next statutory declaration was contained in the Act of 25 Edward III., and was to the same effect. It enacted that no person should be taken or imprisoned except by indictment or presentment in due manner or by legal process. It was true that Charles I. issued Commissions for trial by martial law; but when the King afterwards summoned a Parliament the first thing they did was to indicate the rights and liberties of Englishmen by the Petition of Right, to which the King was in the end compelled to assent. The words of that memorable document were of the same character as those contained in the Great Charter of 1215. The last of the Stuarts made an attempt to revive in some degree the claims of his predecessor, but the earliest Act of the first Parliament which assembled in the reign of William and Mary was to re-assert the liberties of England by passing the Bill of Rights. This was an old and celebrated contest, carried on for centuries between the Crown and Constitutional representatives of this nation. Chief Justice Hale laid down the maxim, *quod enim necessitas cogit, defendit,* and extended the maxim to bodies of armed men regularly embodied. This was also the doctrine of Coke. Lord Chief Baron Comyn laid down that martial law could not be used in England without the authority of Parliament. Cases might, perhaps, be adduced in which attempts had been made to establish martial law in this kingdom, but any number of such attempts could not prevail against the solemn declaration of the law. The principles enunciated in the Bill of Rights were repeated in the preamble to the first Mutiny Act, and had been retained in all the subsequent Mutiny Acts down to the present day. Notwithstanding all these assertions of the law, however, some persons had entertained doubts upon the subject, and it seemed that in the spring of the present year Her Majesty's Government themselves were not clear that the Sovereign had no power to proclaim martial law; and it was therefore necessary that the question should be raised, and that the House should give, as in former times it had never hesitated to give, a clear and distinct answer. In a work published by his right hon. and learned Friend the Member for Newcastle (Mr. Headlam), there were some expressions which gave a certain countenance to the theory that such a power existed on the part of the Crown, although he doubted whether they were intended to have that effect. His right hon. Friend said that there was a broad distinction between "martial law called into existence and the ordinary law for the regulation of the army." He did not admit that there could be any such thing as martial law "called into existence," except by the authority of Parliament. But he entirely agreed with his right hon. Friend in his further statement that—

> "Martial law is neither more nor less than the will of the general who commands an army; in fact, martial law means no law at all."

Another writer, Mr. Denison, seemed to give some countenance to the theory that the Crown had the Prerogative of proclaiming martial law. He said—

> "The term law cannot be applied to it. When martial law is proclaimed it is the will of the ruler, or rather the will of the ruler is law."

Within a very recent period the exercise of martial law had been attempted in one of our colonies (Jamaica). In Ireland it was called into operation in 1798, under the circumstances stated in the Cornwallis Correspondence. He did not like to enlarge on so painful a subject, or to revive reminiscences of evil times over which he should prefer to draw a veil; but the question had been raised in regard to Ireland, and in regard to the colonies, and it demanded an answer. It might be a subject of abstract theory in England, but in Ireland and the colonies it was matter of vital importance that there should be no ambiguity. Martial law had been nothing but the rule of the soldier, nothing but violence and slaughter. He expected from the Government such a reply to his Resolution as had been given on many former occasions when the liberties of English subjects had been vindicated by the English Parliament. He could not doubt what the answer would be. It would be that which was given in 1215; again in 1350; again in the Petition of Rights drawn up in 1627, and again in the Bill of Rights in 1688, namely, "that none shall be forjudged of life and limb save by the judgment of their peers and the law of the land." He asked that the Government should tell them the rule under which they lived, and declare to them the law of the land.

Motion made, and Question proposed,

> "That whereas, by the Law of this Kingdom, no man may be forjudged of life or limb but by the lawful judgment of his Peers, or by the Law of the Land; and no commission for proceeding by Martial Law may issue forth to any person or persons whatever, by colour of which any of Her Majesty's subjects may be destroyed or put to death contrary to the Laws and Franchise of this land, and the pretended power of suspending of Laws, or the execution of Laws by Regal authority without consent of Parliament is illegal; this House would regard as utterly void and illegal any commission or proclamation purporting or pretending to proclaim Martial Law in any part of this Kingdom."—(*Mr. O'Reilly.*)

Mr. W. E. FORSTER said, he did not rise to in any way controvert the statements of his hon. and gallant Friend the Member for Longford, but rather for the purpose of somewhat extending the scope of the discussion which he had opened. The Resolution which his hon. and gallant Friend had moved was confined to this kingdom, though his arguments and statements went somewhat beyond this kingdom. It was the wish of the hon. and gallant Gentleman that the House should declare the Crown had not the power to suspend the law without Parliamentary assistance. There could be little doubt of that fact. If his hon. and gallant Friend thought it necessary for the interest of that part of the United Kingdom with which he was more immediately connected that some such declaration should be made, he would support him, but he himself did not think it could be necessary. He did not suppose that any Government of modern times, still less the present Government, could ever have thought of suspending the ordinary law in the United Kingdom and proclaiming martial law in its stead. But the rights of our fellow citizens in the colonies were involved in the questions raised on the present discussion. He held it to be the the duty of the House of Commons to consider the events in Jamaica, not as regarded the punishment of those concerned in those events, but to prevent a recurrence of what had been done in that colony. Were it not for the fact that legal steps had been taken, he should have ventured to call the attention of the House to those events. As a prosecution had been instituted, it would have been manifestly unfair to raise the question in a direct form; nor would he have alluded to it this evening only that the speech and the Motion of his hon. and gallant Friend rendered it necessary that the case of the colonies should be considered. He felt, however, that the House were not at present in a position to enter thoroughly into the matter, because all the facts were not before them. He had asked his right hon. Friend the Under Secretary for the Colonies (Mr. Adderley) what steps had been taken as regarded the colonies, in consequence of the Charge of the Lord Chief Justice? In reply to a question which he had put to his right hon. Friend on a former occasion, he understood him to say that a Circular had been issued to the Governors of colonies some time ago on the subject of martial law, and that in consequence of the Charge of the Lord Chief Justice Instructions were to be issued to those Governors. He also understood his right hon. Friend to say that some legislation on the subject would be necessary. He could not express in terms sufficiently strong his warm approval of that part of the Circular issued by Lord Carnarvon in January last, in which it was requested that the Governors of colonies should do their best to induce local legislatures to repeal those Acts which authorized the proclamation of martial law. He hoped his hon. Friend would inform the House what answers had been received to that Circular. He believed that in Antigua and Bermuda there had been an undoubted power of proclaiming martial law vested in the Executive, and that in Jamaica there had been some doubt as to whether such power existed. He should like to know whether the Acts which were relied on as conferring that power had been repealed in those colonies? He believed such Acts empowering the suspension of the common, and the proclamation of martial law were not only a disgrace to the statute book of those colonies, but were in themselves a source of very great evil. Whether the power existed in Jamaica or not, there was no doubt that the Governor believed that it did. Such Acts were a disgrace to the statute book, because they held out a temptation to the Governor to misuse his power, trusting to a subsequent Act of Indemnity. If the Governor of Jamaica had not believed that such power existed, no Commission would have been issued, and the Charge of the Lord Chief Justice would not have been delivered. At all events the exercise of that power by the Governor of Jamaica would have been very different, and his opinion was that there would have been no proclamation of martial law at all, because the whole responsibility in that case would have rested with the Governor for proclaiming it. While approving with all his heart the first two paragraphs of the Circular from the Colonial Office, which contained positive directions for the repeal of these most mischievous laws, he could not endorse the concluding passage, which said—

> "In giving these Instructions, Her Majesty's Government must not be supposed to convey an absolute prohibition of all recourse to martial law, under the stress of great emergencies and in anticipation of an Act of Indemnity."

He was not surprised at the addition of this safeguard to the Instructions, especially as they were issued some months before the delivery of the Charge by the Lord Chief Justice. Nothing, however, could be stronger than the declaration by the Lord Chief Justice that no Government ought to suggest to a Colonial Governor to declare martial law, trusting to an Act of Indemnity. That was the opinion of the Lord Chief Justice, who was acknowledged to be one of the highest authorities in the law; and that was the reason why he recommended some legislation in order to settle the question. Possibly the fact of the Lord Chief Justice having made such a recommendation was the reason why the Government stated that it was their intention to propose some legislation. He did not agree with the Lord Chief Justice in that recommendation. He regarded any legislation having for its object to legalize martial law with the greatest fear. Any attempt to provide for the suspension of the ordinary laws for the protection of life and liberty by the substitution of military authority must be regarded as an abdication of legislative power. He had never believed that martial law, as it was understood in this country, in Ireland, or the Colonies, was necessary for the purposes of government in those places. In that opinion he should no doubt be in a minority; but having paid close attention to all that had happened in Jamaica, and having looked over all similar cases in recent history, he had seen no case in which the proclamation of martial law was necessary. It was a great, but not a necessary evil. He admitted that to the restoration of peace and the preservation of authority everything else must give way, and that whatever acts of military authority were absolutely necessary for that purpose must be sanctioned; but he had seen no case where what was embodied in the notion of martial law, the power of punishment after the suppression of the outbreak, was essential. The Lord Chief Justice had pointed out that within twenty-four hours after the issue of the proclamation peace and order were restored in Jamaica. Nobody, therefore, could doubt that peace would have been equally restored by the action of the troops whether martial law had been proclaimed or not. He had stated last year that the lesson taught him by the events in Jamaica was that martial law ought never to be proclaimed unless the Executive Government had reason to believe that the troops could not act efficiently in restoring order without its proclamation. The Chief Justice stated, in the strongest terms, that the power of suppressing disturbances, without the necessity of proclaiming martial law, rests with the Executive Government. Nothing could be stronger. The Chief Justice said—

> "The rebel in arms stands in the position of a public enemy, and you may kill him in battle as a foreign enemy. Being in the position of a public enemy, you may refuse him quarter, and deal with him as a foreign enemy. If it is necessary in putting down any insurrection for the troops not to be encumbered with any of the restraints of the criminal law so long as rebellion is in existence, and they have to meet illegal armed force, they are able to take these steps without the assistance of martial law."

This showed that as long as actual rebellion was in existence martial law was not needed for the suppression of disturbance. As to the allegation that the proclamation of martial law was necessary for the punishment of those who had taken part in the rebellion, such an argument showed that no real necessity existed for martial law at all. Surely, after all the centuries in which we had been labouring to protect subjects of the Queen from any exercise of arbitrary power, argument ought not to be needed for the purpose of combating the opinion that it was necessary to suspend the common law, not for the restoration of peace and order, but merely for the purposes of punishment. He should have moved an Amendment applying the principle already laid down to the colonies, with the understanding that it applied to the Prerogative of the Crown and not to the Imperial Parliament or to the local legislatures, had it not been that he thought the House was not in a position to come to a resolution on the subject until they were aware of the Instructions issued by Her Majesty's Government. Nobody could have read the despatch of the noble Lord the late Secretary of State for the Colonies (the Earl of Carnarvon) without feeling that full confidence might be placed in whatever was done under his authority; and there was no reason to suppose that the Duke of Buckingham and the present Under Secretary for the Colonies would not follow in his footsteps. He might however call attention to the fact that a variance existed between the Instructions issued by the Admiralty at the close of last year for the guidance of naval officers and the law as now laid down by the Lord Chief Justice. There were two theories as regarded martial law. One appeared to have been held by the principal lawyers in all stages of our history, from Chief Justice Hale to the present Lord Chief Justice. This was, that if, by any unfortunate circumstance, martial law were proclaimed in any part of Her Majesty's dominions, it meant military law, and the giving to military and naval officers similar powers with regard to civilians to those which they possessed with regard to members of their own services. The result would be a court martial constituted under the same regulations as a court martial for the trial of a naval or military officer. That was one theory spoken of by the Lord Chief Justice. The other was, that martial law applied to civilians is not military law, but the arbitrary will of the Executive. This latter theory the Lord Chief Justice regarded as a fallacy of recent growth, and it was no doubt the theory on which the Jamaica authorities acted, and also the theory on which the authorities in Ceylon and other places had acted where martial law had been proclaimed. This theory had high authority to back it. He did not blame those who had adopted this view, because it was supported by the authority which of all others they would think the highest. The Duke of Wellington had said that martial law was the will of the general—that in fact it was no law at all. There was the greatest possible difference between these two views, and he begged to call the attention of the House to the fact that the Instructions issued by the Admiralty did not agree with the dicta of the Lord Chief Justice, for they said that the arbitrary will of the officer in such cases as were contemplated superseded the ordinary law for the time being, in the same manner and degree as if the district where it was proclaimed were enemy's country. It seemed to him that either the statements of the Lord Chief Justice ought to be proved wrong, or that the Instructions of the Admiralty ought to be altered in conformity with them; or that if the discrepancy were irreconcilable, there ought to be fresh legislation. In treating of this sorrowful subject he had endeavoured to make no allusion to the blame which many might believe ought to be cast upon the authorities in Jamaica. But from what had happened a lesson might be learned which, as Members of the House of Commons, they ought to lay deeply to heart; and he would prefer giving it in the words of the Lord Chief Justice. The learned Judge said that a man must be dead to every sentiment of humanity, and mercy must be banished from the category of human virtues, if he could read without a shudder the narrative of the rebellion, and of the steps taken after its suppression; adding that if martial law must be continued it ought at least to be restricted to the time the rebellion was actually flagrant. It seemed to him (Mr. Forster) that our honour, our position amongst civilized nations, our safety as a country, and, more than all, our duty, should lead us to say that such things must not happen again.

Mr. GATHORNE HARDY said, that while deploring the fact that necessity sometimes compelled the proclamation of martial law, the hon. Member had admitted the occasional occurrence of such a necessity, nor did the Lord Chief Justice ignore the necessity which might arise of setting aside the law of the land and securing with great vigour the military law, such as is enforced by a General in an enemy's country. The Lord Chief Justice in his Charge said,—

> "I am quite ready to admit that if martial law could be lawfully put in force the circumstances attending the recent outbreak were such as would at first warrant its application."

But he added that he did not think that it should have been continued. This was quite in accordance with the opinion of Lord Chief Justice Hale, that it was lawful to call out any force to put down an insurrection, and to put in force the military instead of the ordinary law until the insurrection should be suppressed. The Lord Chief Justice also admitted in the passage immediately following that referred to by the hon. Member that though an insurrection were suppressed it might be necessary to continue the enforcement of martial law, in order to strike terror into the minds of the people for their better order in the future. Everyone was agreed that in cases of insurrection and danger to the lives of peaceful citizens it was the duty of those exercising the supreme power to put aside ordinary laws, and to proclaim military law until the insurrection was suppressed; and it did not need the existence of armed resistance to constitute insurrection. He knew of none who said that the Jamaica authorities who had been referred to were wrong in using in the first instance the most forcible means to put down the rising. Everybody was agreed that, assuming the facts to be as they were supposed to be by the Governor, he was justified in resorting to military law in putting down the rebellion. When there was an insurrection it was the imperative duty of those in authority to use the most rapid and forcible means to put it down. The hon. Member (Mr. Forster) said that he withdrew the qualification that military law never should be put in force unless the troops could not act without it, because the troops could at once act on that law; but the question was whether it was more straightforward to act on military law with or without proclaiming it.

MR. W. E. FORSTER said, that what he meant was that the Executive could act with military power, and, therefore, that it was not necessary for them to attempt to act with military law.

MR. GATHORNE HARDY said, if an Executive were to act by military power it would proceed in accordance with the ordinary law of the case, and military power or force would involve military law. If military force were adopted, it was surely fairer to announce to those against whom it was proposed to act that the ordinary course of law would be superseded? He agreed, with respect to the law upon this subject in the colonies, that they were not in a position to come to a definite conclusion upon the subject; nor did he think that it was advisable that the House should proceed to act by a Resolution in such a case as this. It struck him that the former part of the Resolution consisted of truisms, whilst the latter part would, if passed, hang *in terrorem* over the heads of those who were charged with Executive Government. Was the law so clear that the House of Commons could deal with it in the way proposed? He could not but sympathize with the Lord Chief Justice—of whom he desired to speak with all the respect due to his high position, the more so as he was evidently animated by feelings so warm and heartfelt for the due administration of justice to the meanest of Her Majesty's subjects—to some extent in the views which he had expressed; but it was evident that the Lord Chief Justice himself—viewing the facts from a distance—had, he would not say vacillated, but apparently gone from one side to another, admitting that the necessity had arisen for acting with peculiar rigour, or, in other words, with military law, yet at the same time doubting whether the insurrection had not been suppressed at a sufficiently early date—a matter about which the authorities in Jamaica held a different opinion—to render the continuance of that military law unnecessary. He did not deny that if the insurrection had been in existence, as it really was in the opinion of those in the colony, the employment of military law would have been necessary. The learned Judge laboured under great disadvantage. In page 127 of his Charge he stated that he felt deeply sensible of the exceeding difficulty of his task. He had for the most part been travelling over untrodden ground, and could find no judicial decisions by which he could in any way be guided. Not only was he without the advantage of having had the matter discussed by members of the Bar—a course by which the researches of able and learned men would have been brought to his assistance—but until the previous day he had had no opportunity even of consulting with the learned and excellent Judge who sat at his side. Now, if any one circumstance tended to add weight to the judicial decisions given in this country, it was the discussions by which they were preceded. Not only did the arguments employed by the advocates on both sides strengthen the conclusion arrived at by the learned Judges, but the learning, the skill, and the care which were evoked led to a ready obedience on the part of the people to decisions which they believed to be founded upon wise and thoughtful considerations. Would it, then, be right that the House of Commons—in consequence, not of a judicial decision, but simply of a Charge to a Grand Jury, qualified, however able and learned, by those admissions—should rush hastily to the final and conclusive judgment embodied in the Resolution moved by the hon. Member? The hon. Gentleman was evidently anxious to provide against an event that was not likely to happen. The hon. Gentleman was afraid that measures might be resorted to in his own country which would lead not only to bloodshed, but to the recurrence of the scenes of former years. But did the hon. Member bear in mind what had actually taken place in that country? Had any attempt been made to override the ordinary tribunals, or had the establishment of military law been employed, although it had been suggested in that House? No such thing had been done. He therefore said that the time had not arrived in which the House should be called on prematurely to condemn that which had not taken place nor was likely to take place. The learned Lord Chief Justice had evidently been shocked by the accounts of what had taken place in Jamaica with reference to the particular case under the decision of the Grand Jury, and he placed before the Grand Jury not only the facts of the case, but also his opinion, with a view to the after submission of the facts to the Petit Jury. Had the case been submitted to the Petit Jury the law which the learned Lord Chief Justice had laid down would have been subject to the revision of the Judges trying the case, of the Criminal Court of Appeal, and finally by a Writ of Error might have been brought before the highest tribunal in the kingdom. The learned Judge therefore was not prejudging the case; and supposing he was wrong in his law, that law would be subject to be reversed on a Writ of Error before the highest Court of Appeal. The Charge should therefore be taken with those qualifications, and surely, upon a direction to a Grand Jury made with a view to getting certain points afterwards decided by the law of the land, the House of Commons would not consent to place upon their books a Resolution which would unjustly hamper those who might hereafter be placed in the position of executive officers, and whose duty it might be boldly to employ the powers at their disposal in order to put an end to what might otherwise prove of serious danger to the State. The right hon. Gentleman the Judge Advocate of the late Government (Mr. Headlam) had, he knew, given great consideration to cases of this kind, and the opinion not only of the right hon. Gentleman but also of a right hon. Friend of his — Sir David Dundas, a former Judge Advocate, whose absence from the House he sincerely regretted—was contrary to that held by the learned Lord Chief Justice. The learned Lord Chief Justice, referring to these right hon. Gentlemen, said it was not their peculiar business to enter upon questions of this nature. But, with all due deference, the attention of the learned Lord Chief Justice himself did not appear to have been previously employed in this direction. As it was, it could not be asserted that the doctrine embodied in the Resolution moved by the hon. Member was laid down by judicial decisions, or by the Common or Statute Law of the land. It would therefore, he thought, be unwise in the House of Commons to commit itself to a pledge upon a matter so important. He trusted that neither in Ireland, nor in the United Kingdom, nor in any of the colonies would the occasion ever again occur for the employment of those powers which were necessary to the Executive in times of great emergency. At the same time he implored the House of Commons not to place an impediment in the way of those who were acting in distant spheres, and to whom, with great responsibilities, was committed the duty of upholding the authority of the Crown and the rights of the country.

MR. J. STUART MILL: There appears to be, as far as the discussion has gone on both sides of the House, a real dispostion to consider this question with reference to the future rather than the past. Certainly it is most desirable that when we are considering what is essentially a question of legislation, we should not allow ourselves to be diverted to the consideration of past transactions any further than they throw light upon questions which may exist or arise in the future. At the same time it appears to me that certain considerations of great importance have not yet been touched upon, and which I think it is particularly necesaary should not remain unstated when we see an obvious desire to explain away and get rid of the effect of the Charge of the Lord Chief Justice of England. I do not mean to say that what has been stated by the right hon. Gentleman the Home Secretary in diminution of the validity, in a legal point of view, of this Charge is unfounded. We know, on the contrary, that it is well founded. We know that the Charge to the Grand Jury is not law, because it has not undergone the preliminary processes necessary to make it law. At the same time there can be no doubt that such a declaration as this Charge contains, supported by such a *catena* of authorities, and coming from a Judge of such high character and reputation, so elaborately produced and bearing the marks it does of most diligent and careful study, is, at all events, an exceedingly strong corroboration of that view of this subject which some of us have taken from the beginning, and which I will briefly state. Our opinion has been that the law is what I shall now venture to state, and that if it has not been so, it ought to be made so. Our opinion was, that there is not, properly speaking, as regards non-military persons, such a thing as martial law, and that it has no existence except for military purposes. Of course, Parliament can give it existence, because Parliament can make any law, however inexpedient or unjust. But the Crown, being only one branch of Legislature, cannot do this. We have thought that, although there was no such thing as martial law, except for military purposes, there was a law of necessity. There may be a public necessity in case of rebellion, requiring that certain acts not justified by the ordinary law of the country should be done; but these acts should be acts of suppression and not of punishment. Now, a point which has not been noticed, and to which I attach the highest importance, is this—that in a case of public necessity, as in any analogous case of private necessity, those who act upon it, and do under the supposed necessity that which they would not ordinarily be justified in doing, should be amenable to the laws of their country for so doing. As in the case of killing any person in self-defence, so in the case of putting any person to death in defence of the country, the person who does it ought to have the *onus* thrown upon him of satisfying the ordinary tribunals of the country that this necessity existed. What, therefore, we say does not exist, and ought not to exist, and which if it does exist we should do our utmost to put an end to, is, the idea that any proceeding, such as a declaration of martial law, can or ought to exempt those who act upon it from amenability to the laws of their country. We contend that the law of necessity, of which nobody denies the existence, would justify the Executive in doing these things if no such thing as martial law had ever been heard of, and that by using the term martial law you ought not to be able to get rid of all responsibility. We demand that the officers of the Government of this country should not be able to escape or get out of the region and jurisdiction of the law; but, that whatever they do, if it be against the law, they should be compelled to justify. They must show the necessity which existed, not to the satisfaction of a court martial merely, but of the regular tribunals of the country. When it is said by the right hon. Gentleman the Home Secretary that it is much better that the officers who intend to assume this power, and act on this supposed necessity, should declare beforehand their intention of doing so, by all means let them do so; but do not let them, or any one else, think that by using the term martial law, or by announcing that they mean to make a military tribunal one of the instruments by which they will exercise their power of superseding the law, they will clear themselves from all responsibility.

MR. HEADLAM said, he was some years ago asked for his opinion by the Defence Commissioners on the subject of martial law, with a view to putting this country in a state of safety against the perils of a probable invasion. The question was whether the Executive Government had sufficient authority to deal with persons and property, and whether it was desirable that statutory powers should be given to the Crown for taking possession of railways and other property in districts where an enemy's troops might land, and in other respects for superseding the common law of the country. He considered the subject very carefully, and the conclusion he came to was that it was not expedient to make any alteration in the law, for the reason that statutory laws on the subject would rather fetter than assist the action of the Executive. He thought that the Law and Constitution of the country was not only expansive enough to enable the Crown to take sufficient measures for the defence of the realm; but that the Minister of the Crown would be liable to the gravest censure—would be liable to impeachment—who, on an emergency, from any fear of overriding the law applicable to ordinary times, neglected to take sufficient precautions for the defence of the country. That was his answer to the questions of the Defence Commissioners, which were adverted to by the Lord Chief Justice in his Charge. That case was, however, totally different from the present. The idea on the part of the Defence Commissioners was to strengthen the power of the Crown for the defence of the realm. In the present case a rebellion had taken place, and it was alleged that the power of the Governor had been exceeded. He was, however, of opinion in the present case also, that it was not desirable to alter the existing law; and that it was better to leave it in the state in which it had always been, the duty of the Government being to take care, in the words of the old maxim, *ne quid detrimenti respublica capiat.* The objections to the Motion of the hon. Member were insuperable. Having laid down the law, the hon. Member asked the House to affirm that

> "This House would regard as utterly void and illegal any commission or proclamation purporting or pretending to proclaim Martial Law in any part of this Kingdom."

Either such a proclamation would be legal or it would not. If it were legal, what power had the House, being only one part of the Legislature, to make it illegal? If it were illegal, what advantage would there be in the Resolution? The House in passing such a Resolution would be doing something beyond its functions, and to which no Court of Law would pay the least attention. If the proposition in question embodied the true law of the land, the House would only be throwing doubt upon it by bolstering it up by a weak resolution on the part of one of the Houses of Parliament. If the hon. Member proposed to alter the law, let him come forward and propose a Bill, which he, for one, should be glad to consider with the greatest care. Whether they called it martial law or the law of necessity it was the same thing. The difference was merely verbal. If the Executive authority superseded the ordinary law of the country when a sufficient case of necessity arose, they were all agreed that it should be supported in that, and also that it should be covered by an Act of Indemnity afterwards. He was not prepared to say that they ought to fetter and control any such authority by declarations of that description. There were two dangers before them. If they made precise declarations of that description they might fetter and control public men, and render them so timid in case of emergency that they would fail in their duty. On the other hand, they might pass enactments which would tempt weak men to exercise powers which ought not to be exercised unless absolutely necessary. Those were two dangers of a different description, against both of which the House should guard. The best way of doing that was by leaving the law as it was, and by making it perfectly clear to persons in authority that they must act in case of emergency, and take responsibility upon their own shoulders, looking to an Act of Indemnity to exonerate them if they had acted honestly and in good faith. It was, perhaps, too much to expect men to act with perfect wisdom in every case; but if they acted in strict good faith and for the best, they could not be fairly refused protection by that Constitution for the preservation of which they had acted.

Mr. CARDWELL said, he concurred in the suggestion that his hon. Friend would do well not to force a division on a subject on which they appeared to be unanimous. He agreed with the hon. Member for Westminster that in regard to the question before them martial law had no existence, except indeed, in certain possible cases of legislation, which it was not necessary to discuss at present. There was the law of the land, and in certain painful and melancholy cases, another law, which might be called the law of necessity. Nobody acted upon the latter except under a great responsibility and the liability to render a future account to the ordinary tribunals of the country. Persons who, called upon by no act of their own, but for the protection of the public safety took a responsibility of that kind upon themselves, were placed in a position of extreme difficulty, and it often happened that, in order to protect them in a way which Parliament afterwards deemed just, a Bill of Indemnity was passed. That, however, was an act not of Prerogative, but of Parliament, and until Parliament passed such a Bill of Indemnity in their favour, such persons acted, and ought to act, subject to a liability to account to the ordinary tribunals of their country. Believing that to be the law, and to be a wholesome state of the law, he did not think any alteration of it was necessary. But if the law did require to be altered, a Bill should be brought in for the purpose, when the matter could be considered with the gravity with which a Bill was always treated in that House. The law of necessity to which he had referred was, in his opinion, strictly limited in time, and operative for repression, not for punishment. A man was justified in taking the law into his own hands for the the purpose of protecting his life when threatened by any extraordinary or sudden violence. So with regard to martial law. The principle equally applied. Necessity was the true test. In the memorable words of Sir James Mackintosh, to continue to act upon a supposed necessity after the necessity had expired, was an enormous crime. The right hon. Gentleman the Home Secretary (Mr. Gathorne Hardy) had spoken on that subject in a very proper spirit, and in one of which they had no reason to complain; and, as they were all agreed, the question was whether the hon. Member for Longford should not rest satisfied with the useful discussion he had raised, and not press his Resolution further. The chief and most fertile source of abuse, when the deplorable emergencies to which the Motion pointed to occurred, was the fact that the inferior agents, over whom the higher authorities were called upon in circumstances of extreme difficulty to exercise control, were guilty of excesses which their superiors would, if they could, have been glad to restrain. The adoption of a vague abstract Resolution like the present one, instead of strengthening the bonds of discipline and increasing the control of the superior authority over its subordinates, might rather have a contrary effect. Moreover, when a Resolution of that kind, levelled against a supposed invasion of the rights of the Legislature by the Prerogative of the Crown, was proposed, they ought to be careful not to expose themselves to the charge of assuming to the House of Commons a greater power than the law assigned to it. For these reasons, he hoped the Motion would not be pressed.

MAJOR JERVIS said, he could not understand the statement of the right hon. Member for the city of Oxford (Mr. Cardwell) that martial law was no part of the recognized law of the land. In 1833 an Act was passed for the more effectual Suppression of local Disturbances in Ireland, by which it was enacted that various offences should be tried by courts martial; and the 40th section of the Act ran thus—

> "Provided always, and be it declared and enacted, That nothing in this Act contained shall be construed to take away, abridge, or diminish the acknowledged prerogative of His Majesty in respect of appointing and convening Courts martial according to the provisions of the Act for punishing Mutiny and Desertion, or the undoubted prerogative of His Majesty, for the Public Safety, to resort to the Exercise of Martial Law against open Enemies or Traitors."

Martial law was the law of the strongest, and if it was carried out by any Governor of a colony, that House would stand by him if he was in the right. The Duke of Wellington, when in the Peninsula, finding that his men were being murdered right and left, stated that if the civil law was not sufficient to prevent it, he should have recourse to martial law. He remembered some years ago that Sir Henry Ward, one of the leading Liberals of that House, and the conductor of a journal of very advanced principles, was sent out as Governor of one of our dependencies—the Ionian Islands. He had not been there a week before he proclaimed martial law, and undertook to carry it out himself. After that martial law was proclaimed in Ceylon. He hoped, therefore, that when men in authority, under a heavy weight of responsibility, deemed it necessary to proclaim martial law, those in this country who sought to bring public odium on them for doing so, would reflect upon that which they themselves might deem it expedient to do should a sudden emergency arise.

MR. THOMAS HUGHES said, the cases put by the hon. and gallant Member opposite did not apply to this case. If, as the hon. and gallant Gentleman said, the House every year passed martial law in the Mutiny Act, he must on reflection remember that the Mutiny Act applied only to soldiers. The only real point which it was necessary to press upon the House and upon the country was that whoever did these acts was responsible to the ordinary tribunals of the country for whatever was done under so-called martial law. With respect to the so-called unanimity of the House on this subject, he should be glad to know that such unanimity really existed as was supposed. He should like especially to know whether the Chancellor of the Exchequer held the opinions which he expressed last year.

MR. O'REILLY said, that after the appeal which had been made to him by the right hon. Gentleman the Member for Oxford he should not press his Motion to a division. He had attained the object he had in view, for he believed that no Government in this country, in the face of the opinions which had been expressed, and in the face of the clear statement of the law which they had had, would venture to assume the power of proclaiming any law which was not the law of the land.

Motion, by leave, *withdrawn.*

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL. [BILL 95.]

(*Mr O'Reilly, Lord Cremorne, Mr Pim.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. MURPHY moved, as an Amendment, that the Bill be referred to a Select

Committee. He reminded the House that the evening that this measure was read a second time, there was a Notice preceding it on the Paper for the second reading of a similar Bill for England, and that the hon. Gentleman who had charge of that—the English Bill—unexpectedly postponed it in consequence of the lateness of the hour at which it came on. The result of that was that the Bill now before the House came on for discussion without any notice to the Irish Trade. On the reading of the Order, however, he (Mr. Murphy) took occasion to observe that, although he did not wish at that stage to oppose the second reading of the Bill, he thought that a fuller inquiry ought to be made into the matter before the House undertook to legislate upon it, and that he especially thought that a Select Committee should be appointed to enquire into all the details having reference to the subject matter of the Bill. The fact was that the parties who felt interested in this measure were under the impression that the English Bill would be first considered, when the nature and principles of the proposal would be fully discussed, and, therefore, none of the Irish Members were prepared to debate it. The Chief Secretary for Ireland, however, then admitted that the subject matter of the Bill was one which deserved a fuller inquiry in the interests of all parties; and although the noble Lord was not, as he said, prepared to oppose the second reading of the Bill, he suggested to the hon. and gallant Member for Longford that a Select Committee should be appointed to make further inquiry. The object of the Bill was to restrict the trade in liquors on Sundays, and it professed to provide further restrictions against their consumption in public-houses. The object of the promoters was, no doubt, most laudable, nor did he for a moment question the purity of their motives. He agreed as fully, as freely, and as largely as the most ardent of them in the desirability to do something to abate the nuisances which he admitted at present existed. But no matter what might be the philanthropy, no matter what might be the motives of those who professed that they wished to do great service to the human race, and to the Irish race in particular, he asked them in regard to the material interests of others not to be neglectful of those who, under the sanction of the Legislature, had invested their capital in this particular trade. That capital ought not to be prematurely interfered with without fuller inquiry. He wished that that inquiry should take place, not only in the interests of the capitalists, but also in the interest of the Gentlemen who were promoting this Bill, and of those who were the guardians of the public peace. So far as to the interests of those who had embarked their capital in the spirit trade, all they desired was that there should be a full, free, and frank opportunity for inquiry before a Select Committee, or some other tribunal, so that they might be enabled to give evidence on their own behalf. If that inquiry were instituted the House would then be able to decide how far their interests as traders could be protected consistently with the interests of the public and the protection of public morals. The profession of the Bill was, that it was necessary to impose increased restrictions on the sale of liquors on Sundays, and that as Acts of Parliament already passed with that object had not been effective, it became necessary to enlarge and enforce those powers. In that preamble he entirely agreed, but he distinctly disagreed as to the means proposed for carrying out that intention. What will the Bill do? Its promoters saw that the sale of liquors on Sundays had a demoralizing effect, and that therefore it ought, in the interests of society, to be put a stop to. But how would they effect that? They would not do away altogether with the sale of liquors; they would not close the public-houses on Sundays, but they would allow the sale to be carried on within certain hours; but, allowing that, they would not suffer the liquors to be consumed when bought. [Mr. SMITH: Consumed on the premises.] He thanked the hon. Gentleman for the correction. How did it alter the case whether the liquor was to be drunk at the counter, or outside the shop? How could the publican prevent the man who came into his house, and paid his three-pence for a glass of whiskey from drinking it on the premises. The landlord would not have time to stop every customer from drinking his beer or whiskey if he chose at the front of his bar. It was absurd to suppose that he could. The police would be in constant requisition to carry out the law. In Cork there were 467 public houses; in Dublin there were 3,000. The policemen were in the same proportion. These figures were referred to by persons learned in these matters, but he could not help recurring to that point—what difference morally did it make whether a man drank a certain quantity of ardent spirits on or off the premises? It appeared that eating-houses were to be exempted from this restriction. He could not understand this arrangement. Why were beer-shops to be opened when public-houses were closed? Under all the circumstances of the case, he thought the matter should be referred to a Select Committee in order to ascertain how the objects of the Bill might be best carried into effect. He would therefore move that the order for going into Committee be discharged in order that the Bill be referred to a Select Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Order for the said Committee be discharged,"—(*Mr. Murphy*,)

—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

LORD NAAS said, he hoped that the House would assent to the Motion of the hon. Member. They could all have but one object, which was to endeavour to arrest drunkenness in every possible way; but from the information he had received from official persons and others in Ireland he believed that if the Bill passed in its present shape evils of an almost greater character might be created by the encouragement of a description of low beer-houses and irregular houses of the very worst kind. If they attempted legislation in the sense of this measure it would be necessary to review the whole licensing system in Ireland; for it would be manifestly unjust to restrict the sale of liquors in public-houses without imposing the same if not greater restrictions upon beer-houses, wholesale grocers, and others, who deal largely in spirits, and who would take advantage of such a prohibition to drive a trade which would be injurious to the public. He believed there would be time during the present Session to enter into the question, and with the information which would be laid before them by a Select Committee the House would be in a better position to legislate upon the subject than they were now.

MR. O'REILLY said, he strongly objected to the Amendment. There were some thousands of petitions in favour of the Bill, and but one petition against it, while not a single Irish Member had spoken against the measure. There were three reasons why the proposal to refer the Bill to a Select Committee would defeat the measure. In the first place, there was not time for the inquiry. In the second place, it was not to be supposed that they would get fourteen Members willing to sit on it in the Dog-days. In the third place, a Committee sitting in London could not investigate the subject with advantage. If, on the other hand, the Bill were allowed to pass, he would guarantee to assist his hon. Friend in every way next year in procuring a Commission or Committee to inquire into the working of the Bill.

The House *divided*:—Ayes 71; Noes 92: Majority 21.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Ordered, That the Order for the said Committee be discharged.

Ordered, That the Bill be committed to a Select Committee.

ATTORNEYS, &c., CERTIFICATE DUTY BILL. [BILL 53.]

(*Mr. Denman, Mr. Vance, Sir John Ogilvy*.)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Denman*.)

MR. HUNT said, he must oppose the Motion. The Bill attempted to deal with licence duties in a piecemeal manner. The certificate duty was at present £9 for attorneys in London, and £6 for those in the country. Till 1853 it was £12 and £8. For the first two years after their admission attorneys had only to pay one-half the duty. The impost did not seem to keep gentlemen from going to the profession, for there were at present 13,475 attorneys on the roll. His hon. and learned Friend did not touch the licence duties paid by pawnbrokers and auctioneers, nor the licence duty paid by certificated conveyancers. The House had decided on the finances of the year. The loss to the revenue of the duty which his hon. and learned Friend sought to abolish would amount to £100,000 a year, which could not be spared.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Hunt*.)

Mr. FAWCETT said, that very great pressure was put upon hon. Members to support this Bill. He thought the House ought to resist pressure coming from such a class of gentlemen as attorneys; and if for no other reason, he should give the Bill his decided hostility. It was objectionable as a piecemeal measure.

Mr. DENMAN said, he had frequently answered the objections to the Bill, which, he repeated, were unfounded.

Lord ELCHO said, he had received, from attorneys in his constituency, letters requesting him to to support the Bill. The answer he had made was that he considered the question to be one for the Government, and that as long as the Government thought it necessary to retain this tax, he would support them in doing so.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 66; Noes 87: Majority 21.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for three months.

GAME LAWS AMENDMENT (IRELAND) BILL.

On Motion of The O'Donoghue, Bill to repeal certain parts of the Acts tenth William the Third, chapter eight (Irish), and the twenty-seventh George the Third, chapter thirty-five (Irish), which impose qualifications for the keeping of Sporting Dogs in Ireland, *ordered* to be brought in by The O'Donoghue, Mr. Cogan, and Mr. Serjeant Barry.

Bill *presented,* and read the first time. [Bill 226.]

COMPANIES ACT (1862) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Companies Act, 1862."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Dodson, Mr. Stephen Cave, and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 221.]

SEA FISHERIES BILL.

On Motion of Mr. Stephen Cave, Bill to carry into effect a Convention between Her Majesty and the Emperor of the French concerning the Fisheries in the Seas between the British Islands and France, and to amend the Laws relating to British Sea Fisheries, *ordered* to be brought in by Mr. Stephen Cave, Mr. Hunt, and Mr. Shaw Lefevre.

Bill *presented,* and read the first time. [Bill 222.]

GUARANTEES OF GOVERNMENT OFFICERS BILL.

On Motion of Mr. John Abel Smith, Bill to provide for the Guarantee of persons holding situations of Trust under Government, by Companies, Societies, or Associations, *ordered* to be brought in by Mr. John Abel Smith and Mr. Hankey.

Bill *presented,* and read the first time. [Bill 223.]

PROMISSORY NOTES AND BILLS OF EXCHANGE BILL.

On Motion of Sir Colman O'Loghlen, Bill to remove certain restrictions on the negotiation of Promissory Notes and Bills of Exchange under a limited sum, *ordered* to be brought in by Sir Colman O'Loghlen and Mr. Pim.

Bill *presented,* and read the first time. [Bill 224.]

COUNTY GENERAL ASSESSMENT (SCOTLAND) BILL.

On Motion of Sir Graham Montgomery, Bill to abolish the power of levying the assessment known as "Rogue Money," and in lieu thereof to confer on the Commissioners of Supply of Counties in Scotland the power of levying a County General Assessment, *ordered* to be brought in by Sir Graham Montgomery and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 225.]

House adjourned at a quarter
after One o'clock.

* * *

HOUSE OF LORDS,

Wednesday, July 3, 1867.

The House met for Judicial Business only.

House adjourned at a quarter before
Four o'clock, till To-morrow,
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, July 3, 1867.

MINUTES.]—Public Bills—*Ordered*—Trades Union Commission Act (1867) Extension.*

First Reading—Trades Unions Commission Act (1867) Extension * [227].

Second Reading — Banns of Matrimony [141]; Roman Catholic Churches, Schools, and Glebes (Ireland) [127], *negatived.*

Committee—Uniformity Act Amendment [68].

Report—Uniformity Act Amendment [68].

Third Reading — Public Records (Ireland) * [185], and *passed.*

THE DISCOURSES OF MR. MURPHY AT BIRMINGHAM.—QUESTION.

MR. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, with reference to a Statement in the Newspapers that the Mayor of Birmingham and others, at an interview, had presented a written Statement on the subject of recent discourses at Birmingham by Mr. Murphy, with special reference to his threatened visit to Liverpool and other large towns; Whether, if this be true, he would lay upon the Table of the House a Copy of any written Statement as submitted to him; and also inform the House of the Reply thereto, either in writing or otherwise?

MR. GATHORNE HARDY said, he had received the hon. Member's Question so recently that he feared he should not be able to give an entirely satisfactory answer. It was quite true that the Mayor of Birmingham and two other gentleman had had an interview with him upon the subject of the late proceedings at Birmingham, and had asked him two questions. One of these questions related to a publication which it appeared to him (Mr. Gathorne Hardy) highly objectionable to put in circulation, and which the deputation said was finding its way into schools, and was becoming a serious nuisance. They wished to know whether any proceedings could be taken against this, and on referring to documents in the Department, he found that that publication had been before under consideration, but there was always this difficulty in connection with it, that, if made the subject of a prosecution, questions might arise before a Jury as to the reasons for putting it in circulation—whether it was done through malice or with the view to controversy, and it was therefore deemed unadvisable to bring the matter into a Court of Law, though, under the circumstances, he (Mr. Gathorne Hardy) thought the publication a very unsafe one in the hands of the persons among whom it was intended to be circulated. The other question was as to any steps which might be taken with respect to the discourses delivered at Birmingham. Upon that point he said he did not think that there were any grounds for criminal proceedings. There was a statement in writing submitted to him; but he did not think it desirable that communications of that description should be published, as their production would tend to discourage that confidential interchange of opinion and of information which took place at the Home Office.

BANNS OF MATRIMONY BILL—[BILL 141].

(*Mr. Monk, Sir Michael Hicks-Beach.*)

SECOND READING.

Order for Second Reading read.

MR. MONK, in moving that the Bill be now read the second time, said, that he regretted that the subject of the legal time for the publication of banns had not been brought under the consideration of the House by some more able and experienced Member than himself. It was with great reluctance and diffidence that he had asked leave to introduce this Bill. His hon. and learned Friend the Attorney General would, he was sure, bear him out in the statement that he had had no intention of moving further in the matter than by drawing the serious attention of the Government to the great danger and evils which might ensue from leaving the question in its present unsettled and unsatisfactory state. Indeed, from the reply given to him by his hon. and learned Friend, he had every reason to hope and believe that the Government would shortly after Easter have brought in a Bill to set at rest all doubts on the subject. It would be within the recollection of the House that the Attorney General stated that, although different views had been entertained by persons entitled to express an opinion on the subject, he had never entertained any doubts himself as to the proper time for the publication of banns. He (Mr. Monk) trusted that in the course of the debate the House and the country would have the advantage and the satisfaction of receiving an authoritative statement on that point from the Law Officers of the Crown, although for his part he did not believe that any hon. and learned Gentleman would rise in his place and affirm that publication of banns was legal at any other time than after the Second Lesson in the Morning or in the Evening Service. It was therefore with considerable regret that he learnt from the right hon. Gentleman the Member for the University of Cambridge that the question would probably be relegated to the Royal Commission on Ritualism — a proceeding which would necessarily entail considerable delay. One course only remained to him—namely, to bring in a Bill. He did so with reluctance, but without hesitation, on public grounds and as a public duty. He felt that in so doing he was taking upon himself a duty appertaining to the Government rather than to a private Member; but he trusted that the great importance attaching to the law of marriage and to the validity of marriages solemnized in the face of the Church would be deemed a sufficient justification for him in endeavouring to set at rest all doubts upon the subject.

The object of the Bill was threefold:—First, to declare the legal time for the publication of banns, as fixed by the statute law of the realm. Secondly, to validate marriages which might be held to be null and void on the ground of the banns having been published at another time than that directed by the Marriage Act of *Geo.* IV. Thirdly, to relieve clergymen, who had knowingly solemnized marriages after such undue publication, from the serious penalties to which they would be liable of transportation or penal servitude under the 22nd section of the Marriage Act. At the outset he would remind the House that the mere interpretation of a statute was in no respect a question of Ritualism. It was purely a constitutional question. *Per se* it had nothing to do with Rubrical controversies, as he would presently explain to the House. All that was asked for was an authoritative declaration of the law in order that the clergy might know what the law was, and so be able to obey it. If, then, the Royal Commission should deem a change in the time of publication desirable, or if a large body of the clergy wished for an alteration in the law, a proper time and occasion would be found for proposing such change. He merely asked the House to place its own interpretation upon certain words in an Act of Parliament, which it had passed, and which regulated the law of marriage in this country. For his own part, he should studiously abstain from expressing any opinion whatsoever as to the best time for the publication of banns. He would now briefly refer to the law as it applied to marriage by banns. Marriages in Churches are now regulated by 4 *Geo.* IV. c. 76. Section 2 enacts that—

> "All banns of matrimony shall be published in an audible manner in the parish church, or in some public chapel, in which chapel banns of matrimony may now or may hereafter be lawfully published, of or belonging to such parish or chapelry wherein the persons to be married shall dwell, according to the form of words prescribed by the Rubrick prefixed to the Office of Matrimony in the Book of Common Prayer, upon three Sundays preceding the solemnization of marriage, during the time of Morning Service, or of Evening Service (if there shall be no Morning Service in such church or chapel upon the Sunday upon which such banns shall be so published), immediately after the Second Lesson. . . . And that all other the rules prescribed by the said Rubrick concerning the publication of banns and the solemnization of matrimony, and not hereby altered, shall be duly observed."

These words were almost identical with those used in 26 *Geo.* II. c. 33. s. 1, which he might designate as the first Marriage Act.

Prior to March 25, 1754, the publication of banns was regulated by the Rubrics of the Book of Common Prayer, which had been adopted and subscribed by the clergy of both provinces, and of both Houses of Convocation, in December 1661, and was confirmed and ratified by Parliament in the following year by the 13 *Car.* II. c. 12., commonly called the Act of Uniformity. This Prayer Book was known by the name of the "Sealed Book." He (Mr. Monk) had had the advantage of examining a copy of the Prayer Book in the British Museum, which had been carefully collated with the "Sealed Book" in the Tower of London. From that Prayer Book he had copied the Rubrics relating to the publication of banns. The Rubric immediately following the Nicene Creed was—

> "Then the Curate shall declare unto the people what holy=dayes or fasting=dayes are in the week following to be observed. And then also (if occasion be) shall notice be given of the Communion; and the banns of matrimony published; and briefs citations and excommunications read. . . . . Then shall follow the sermon or one of the homilies set forth, or hereafter to be set forth by authority. Then shall the Priest return to the Lord's Table and begin the offertory, saying one or more of these sentences following."

Turning, then, to the Form of Solemnization of Matrimony, they would find in the Rubric preceding it—

> "First the Banns of all that are to be married together must be published in the Church three several Sundaies or holy=daies in the time of Divine Service, immediately before the sentences for the offertory."

He would call the attention of the House to the remarkable fact that the injunctions of these two Rubrics were wholly inconsistent one with another. That following the Nicene Creed directed banns to be published before the sermon or homily, while the Rubric prefixed to the Marriage Service, which, he would remind the House and particularly the hon. Gentleman the Member for Stoke, was the only Rubric referred to in the Marriage Acts, ordered publication to take place "immediately before the sentences for the Offertory," and consequently after the sermon or homily. For nearly 100, or, to be accurate, for ninety-two years the clergy were left to determine for themselves which of these two Rubrics they should obey. They came then to the year 1753, when, in consequence of a cause relating to a clandestine marriage having been brought on appeal before the House of Lords, the evils arising from Fleet marriages, and from the vast number of clandestine marriages that were solemnized at Keith's Chapel in Curzon Street and elsewhere, were brought so forcibly to light that their Lordships directed the twelve Judges to prepare a Bill for the better prevention of clandestine marriages. This was accordingly done. The Bill was discussed for many days in both Houses of Parliament, and at length passed into law, as the 26 *Geo.* II. c. 33, and is commonly known as Lord Hardwicke's Act. The interpretation of that Act and of the present Marriage Act appeared to him to be so clear as to leave no reasonable doubt as to the meaning of the disputed words. He thought that "those that ran might read." It had, however, been objected that the intention of the Act was not to alter the time for publication during the Morning Service, but merely to provide for the case of Churches in which there was Evening Service only. Indeed, some persons had contended that the Acts of *Geo.* II. and of *Geo.* IV. did not affect the Rubrics in any way—nay more, that Convocation not having been consulted, and consequently not having consented thereto, the injunctions of those Acts with reference to the Rubrics were of none effect, and for this reason some few clergymen had, as he was informed, refused to be bound by them.

Before he came to the plain meaning of the words themselves, he would ask those objectors, how was it they assented to the omission of the words "or holidays" in the Rubric under the authority of these very Acts? Again, what interpretation did they place upon the Act of 1 *Vict.* c. 45, s. 4, which expressly repeals that portion of this same post-Nicene Rubric, which directs briefs and citations to be then read. It is in these words—

> "And be it further enacted, That from and after the first day of January next no Decree relating to a Faculty, nor any other Decree, Citation, or Proceeding whatsoever in any Ecclesiastical Court, shall be read or published in any Church or Chapel during or immediately after Divine Service."

And in lieu thereof it directs citations and proclamations to be reduced to writing and to be affixed to the Church door. He was able of his own knowledge to inform the House that, although Convocation was not consulted on the subject, that departure from the directions of the Rubric was readily acquiesced in by the same reverend gentlemen who disputed the alteration made by the Marriage Acts. He was aware that a right rev. Prelate in "another place" some years ago denied that the 26 *Geo.* II. c. 33 made any alteration whatever in the Rubrics of the "Sealed Book." His words were so remarkable that he would read them to the House—

> "The Marriage Act made no alteration in the Rubric: it cautiously abstained from doing so."

The right rev. Prelate seemed to have overlooked the fact that an alteration was effected by making the publication of banns on holydays illegal. But he would further ask, if no alteration was intended to be made in the Rubric, what was the meaning of the words in sec. 1 of 26 *Geo.* II. c. 33—

> "And all other the Rules prescribed by the said Act and not hereby altered shall be duly observed."

In replying to the speech of the right rev. Prelate, Lord Brougham said—

> "He held the high and paramount authority of Parliament in all matters which could be the subject of discussion, and he utterly protested against the doctrine—against acting on the opinion that there was anything, spiritual or temporal, from which the jurisdiction of Parliament was excluded."—[2 *Hansard*, lxxviii. 22.]

It had been contended, then, that the Marriage Act did not affect the time of publication of banns during the Morning Service, which was to be regulated by the Rubrics of the Prayer Book of 1661, but merely provided for the case of Churches in which Evening Service only was held. That interpretation was said to derive authority from an *obiter dictum* of a late learned Judge, and had been adopted—most unfortunately, as he (Mr. Monk) thought—by a few clergymen and dignitaries of the Church without the authority of a judicial decision.

He would briefly lay before the House some arguments which would, he trusted, be deemed conclusive, against the view taken by those clergymen who refused to publish banns after the Second Lesson during the time of Morning Service.

First—In no possible view of the case could the post-Nicene publication be right and legal. The House would bear in mind that the only Rubric referred to and confirmed by the Marriage Act is that prefixed to the Office of Matrimony, which enjoined publication of banns "immediately before the sentences for the Offertory"—consequently after the sermon. If, then, the Act did not require banns to be published after the Second Lesson during the time of Morning Service, it followed that the legal time would be, not after the Nicene Creed, but immediately before the sentences for the Offertory.

Secondly, For more than a century the almost universal practice has been to publish banns after the Second Lesson.

Thirdly, The alteration in the time of publication in 1754 must have attracted general notice throughout the country, and the Prelates and others who had taken part in the lengthened discussions in Parliament upon Lord Hardwicke's Act would have adopted means to correct any error on the part of the clergy on the subject.

Fourthly, If the House would look at the grammatical construction of the sentence in dispute it would, he believed, come to the conclusion that the words "immediately after the Second Lesson" were in immediate relation with, and dependent upon, the Morning as well as the Evening Service. He would offer an illustration to the House. If a new Member were in doubt as to the proper time for presenting a petition, in consequence of the late change in the hours at which the House met, and were to apply to Mr. Speaker for information, it is not improbable that Mr. Speaker might reply in some such words as these—"Petitions must be presented during the time of the morning sitting, or of the evening sitting (if there shall be no morning sitting upon the day upon which such petition is to be presented), immediately after Notices of Motion." Could a doubt be entertained that the latter words applied as well to the morning as to the evening sitting? In short, if the words in the Act were limited to the Evening Service, some words of limitation would have been employed. But he (Mr. Monk) had the much higher authority of contemporaneous literature in favour of the change which took place in 1754. In the *Gentleman's Magazine* for September, 1753, two months after the passing of the Act, under the head of "Some Account of the Statute to Prevent Clandestine Marriages," vol. xxiii. p. 399, are these words—

> "By this Statute it is enacted that Banns shall be published in the church or chapel, where the parties dwell, three Sundays in the morning, except where Morning Service is not performed, immediately after the Second Lesson."

Could anything be more conclusive? Evening Service was not even mentioned.

Again, in Wheatley's *Rational Illustration of the Book of Common Prayer*, in the edition published in 1759, after Wheatley's death, which occurred in 1742, the words "Banns of Matrimony are to be published," were omitted in the reference to the Rubric after the Nicene Creed, former editions having contained those words. In chap. vi. sec. 8. § 1 were the following words:—

> "It is ordered by a late Act of Parliament that all Banns of Matrimony shall be published on three Sundays preceding the Solemnization of Marriage immediately after the Second Lesson."

In 1806 Bishop Horsley, in a Charge delivered to the clergy of the diocese of St. Asaph, expressed his surprise at having heard banns published in a parish Church in a great town not very many miles from the metropolis at the altar after the Nicene Creed—

> "The clergyman," said the Bishop, "I dare say, had no notion he was doing wrong; he followed the Rubric. But the direction of the Rubric in that particular has been altered by the Marriage Act, which directs that banns of marriage shall be published immediately after the Second Lesson; and it seems to me very doubtful whether a publication after the Nicene Creed be, as the law now stands, any publication at all; and whether a marriage had under such irregular publication be a good and valid marriage."

Last, not least, he had in favour of that interpretation of the Act the high authority of Dr. Burn, whose great work was the text-book of ecclesiastical law in this country. In the 1st edition of *Burn's Ecclesiastical Law,* published in 1763, vol. ii. p. 37, were the following observations on the publication of banns:—

> "In truth there was a great mistake in many persons supposing where an Act of Parliament inflicteth no special penalty for disobedience that they may transgress such Act without any danger of being called to account. . . . . Where a clergyman shall presume to marry persons, neither of them being his own parishioner: as also where a minister shall take upon him to publish the banns, not immediately after the Second Lesson, as this Act requireth; but after the Nicene Creed, as was before enjoined by the Rubric. For if a father should attend immediately after the Second Lesson, to forbid the banns, where his child is under age; and no publication being then made, should go away, and the publication afterwards proceed; the clergyman making such publication would not be in a desirable

situation. Indeed, it doth not appear, why the time, as it is now limited, immediately after the Second Lesson, is more proper than the other time was, after the Nicene Creed; or rather it seemeth to be less proper, because immediately after the Second Lesson the publication makes a manifest break and interruption in the service; but after the Nicene Creed there is a pause, that part of the service being completed. However, so the matter stands; and it is not in the discretion of any private person to judge of the propriety or impropriety; and therefore, this being the law, the Rubric after the Nicene Creed in this particular ought to be altered; and the rather, as it may prevent a mistake of some persons, who may think that the Rubric in this respect is still in force, not considering, that although the Rubric is confirmed by Act of Parliament (and is, indeed, itself part of an Act of Parliament), yet no maxim in the law is more established than that a subsequent contrary Act virtually repeals a preceding Act, so far forth as it is contrary; and may also prevent, perhaps, another mistake of those who may suppose, that the Rubric, together with the Book of Common Prayer, before it received the sanction of Parliament, having been drawn up by the Clergy in Convocation, received its whole force by ecclesiastical authority, and needed no Parliamentary confirmation, but, on the contrary, that the Parliament have nothing to do with it either to confirm or alter it. This was once the notion of ecclesiastics; but the foundation thereof was abolished, with the papal power, out of this realm, above 200 years ago. What now remains of it, if anything doth remain, is a shadow without any substance. An Empire within an Empire, two distinct Legislatures in one Kingdom independent of each other, and both of them pretending to be absolute, have been long since found to be absurd and incompatible."

Well then, in 1754, the change in the time of publication took place. In 1822, it was acquiesced in by both Houses of Parliament, in Dr. Phillimore's short lived Act, 3 *Geo.* IV. c. 75. In 1823, the present Marriage Act was passed, when there were lengthy discussions in "another place," in which many right rev. Prelates took part, and in which no doubt was expressed as to the proper time for the publication of banns being immediately after the Second Lesson. In reply, however, to the inquiry which might very properly be addressed to him — why was the Rubric altered? (and here he might in all fairness ask, which of these two Rubrics?) his answer was—the object of the Act which came into operation in March, 1754, being for the better prevention of clandestine marriages, it was believed that a solemn publication in the midst of the Morning Prayer, and upon Sundays only (not on holydays as heretofore), would attract more attention, and be better heard from the reading desk, than from the chancel at the far end of the Church, in the midst of briefs, citations, excommunications, and other mandates from the Ordinary.

Before he concluded, he must briefly refer to the Report of a Committee of the Lower House of Convocation, which was presided over by his venerable friend, Archdeacon Sir George Prevost. That Report had lately been discussed in Convocation, and some of its suggestions had been there adopted. In one respect he entirely agreed with the Report, that the state of the law relating to marriage by banns was defective and unsatisfactory; that it encouraged evasion, deceit, and fraud, and that clandestine and unlawful marriages were frequently contracted. With some of the suggestions, however, adopted by the Lower House of Convocation, he could not in like manner agree. The first was, that in any alteration of the law the duly authorized Rubrics in the Book of Common Prayer relating to the publication of banns should remain unaltered. His (Mr. Monk's) objection *in limine* to this was that the two Rubrics in question were inconsistent with each other, so that, in order to carry out the second suggestion of Convocation—"That the banns be published in the Morning Service (whenever there is Morning Service) after the Nicene Creed"—the duly authorized Rubric in the "Sealed Book" prefixed to the Form of Solemnization of Matrimony, and which alone of these two Rubrics was referred to and confirmed by the Marriage Acts, except so far as it was thereby altered, must first be further altered or repealed. He would not refer further to the Report of the Committee of Convocation than to say that he entirely concurred in the propriety of a decision arrived at in the Lower House, repudiating the suggestion that it should be left to the discretion of the officiating clergyman to publish the banns either after the Second Lesson or after the Nicene Creed. That proposal was negatived by thirty votes to twenty-one. Such a proposal appeared to him to be utterly indefensible. Great confusion would arise from a difference of practice in neighbouring parishes. Perhaps even in the same church the incumbent might publish banns one Sunday at one time, and the curate the next Sunday at another. By such a course the sole object of publication—namely, publicity, would be defeated, and an opportunity afforded for clandestine marriages. Although the time of publication might be wholly immaterial in itself, it was most important that no doubt should be suffered to exist as to the legal time enjoined by the statute. In his opinion uniformity of practice was absolutely necessary. In any case there had been undue publications of banns. Happily, however, the post-Nicene publications had been the exception, not the rule. He would ask the House to reflect for one moment how wide a door was now opened to fraud, where facilities were offered by clergymen to persons knowingly and wilfully to intermarry after a publication of banns, which they knew to be an undue publication. A man might commit bigamy with impunity. Let the House bear in mind that the marriage of persons knowingly and wilfully intermarrying without due publication of banns was not voidable merely, but wholly null and void. The children would be bastardized, and the property and titles which they believed to be their rightful heritage would pass into other hands. Some clergymen, he was informed, had published banns after the Nicene Creed for eighteen or twenty years. He had himself heard one clergyman publish banns after the Second Lesson one Sunday, and publish the same banns after the Nicene Creed on the following Sunday. Was that a due publication under the statute of *Geo.* IV.? He ventured to think that those clergymen had incurred a grave responsibility—one which, in his humble judgment, could not easily be justified. Section 21 of the Marriage Act enacts that any clergyman who shall knowingly and wilfully solemnize marriage without due publication of banns shall, being lawfully convicted thereof, be deemed and adjudged to be guilty of felony, and shall be transported for fourteen years—a punishment now commuted to penal servitude. And Section 22 enacts that if persons knowingly and wilfully intermarry without due publication of banns, the marriages of such persons shall be null and void to all intents and purposes whatsoever. And yet he was informed that a right rev. Prelate, for whom he entertained the highest regard and respect, had, in his episcopal charge delivered last autumn, recommended his clergy to publish banns at another time than that enjoined by the Marriage Act. It was only fair to the clergy themselves that no doubt should be suffered to exist on the subject.

He trusted that he had made out a sufficient case for legislation, and that he had clearly shown what was the intention of the Legislature in framing the Acts that regulated the publication of banns in parish Churches in England. With a view therefore to declare the law of the case, and to prevent the evils which must ensue from marriages being declared invalid by reason of undue publication, he had ventured to introduce this short declaratory Bill; and in submitting it to the consideration and judgment of the House, he appealed with confidence to the House to read the Bill the second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

MR. BERESFORD HOPE admitted the facts stated by the hon. and learned Member, but drew an entirely different inference from them. Up to 1753 the publication of banns was exclusively regulated by the Act of Uniformity of 1662, of which the appended Prayer Book, commonly called the "Sealed Book," was an integral part, in which was an integral portion of the law, being, in fact, a Schedule to that Act. In this Prayer Book, beyond the shadow of a doubt, the time for publishing the banns was after the Nicene Creed, as it had been in the Church of England for all time before and after the Reformation. Marriages, however, could also, at that period, be solemnized without banns in certain privileged Chapels — a system productive of great social evil, for boys of fourteen were sometimes entrapped into marriage by designing women. Legislative interference, therefore, became necessary for the protection of social life. The legislators of that time had to provide for the future enforcement of banns in general, but they had also to face another bad condition which they had not the means of remedying. Pluralities were, in those days, abundant, a clergyman being able to hold as many benefices as his conscience or his patron allowed, many of which parishes were left to be served by an over-worked hack of a curate. There were consequently numerous Churches in the country where the Nicene Creed was only heard at rare intervals from their inhabitants being, as a rule, only indulged with Afternoon Service. Under these circumstances the Act of 1753 was passed, and if the banns clause had stopped at the words "Morning Service," no ambiguity would have arisen. It would have been an Act substantially re-enacting the old Rubrical system with only the prohibition of holydays. It added, however,

"or of Evening Service (if there be no Morning Service in such church or chapel upon any of those Sundays) immediately after the Second Lesson."

The Act of 1823 was substantially identical in its terms, the only difference being the insertion of the word "shall," before "be." Now, stops were, of course, of no legal force, but they were secondary evidence of how the Act was understood at the time; taking then the comma after "Morning Service" and the use of the parenthesis with respect to cases where there was no Morning Service, he interpreted the clause as re-enacting the Rubric with the judicious omission of holydays, on which there would be a very scanty congregation, only in addition directing publication after the Second Lesson in the too numerous Churches where there was no Morning Service. The Evening Second Lesson, followed as it was by the Creed, was apparently selected as being as nearly as possible analogous to the Gospel in the Morning itself precedent to another Creed. As to the discrepancy which the hon. and learned Member found between the two Rubrics which occur in our present prayer, the first ordering the publication of banns, &c., and the other prescribing the sermon, he found that in the Prayer Books prior to 1662 the position of the nearly identical Rubrics which represented them was different. As it was, no doubt the real Rubric at the commencement of the Marriage Service (not the King's printer's substitution) seemed to be rather discrepant; but if the original order were reverted to there would be no ambiguity as to the proper time. The inversion of this order was, he believed, a simple clerical blunder. He admitted that the Marriage Acts were ill-drawn, and that the doubt which they had created ought to be set at rest; it was inexpedient, however, to declare a particular interpretation correct by a hurried Act of Parliament when a careful consideration might lead to a different conclusion. The Royal Commission on Rubrics had been solemnly appointed, and was at that time in active session. The difficulty which had led to this Bill would come directly within its scope, and it had full authority to consider the matter; so why should not the House, which had plenty of other work in hand, show a little patience, and a little consideration for the terms of the Commissioners' appointment, and allow them to complete their investigations? If there was any apprehension of marriages being invalidated, or of clergymen incurring penalties, the Bill might be remodelled with the omission of the first clause, so as for the present to ratify marriages whether the banns had been published after the Second Lesson or after the Creed. He hoped the hon. and learned Member would assent to this course; but unless he did so he should feel bound to press his Amendment, that the Bill be read a second time this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Beresford Hope.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir GEORGE GREY said, he hoped that at all events the House would read the Bill a second time. The matter lay in the smallest possible compass, and he rather regretted that his hon. and learned Friend (Mr. Monk) should have mixed it up with questions of ecclesiastical law and discussions in Convocation. As he understood the question it was that Parliament had passed an Act to alter the Law with respect to the Solemnization of Marriages, and a clause of that Act prescribed the time at which the banns were to be published. He confessed he could not see any ambiguity in that clause; but if, as was alleged, there were any ambiguity, Parliament could, and ought to clear it up. Some—he believed a small minority—of the clergy, seeing a difference between the wording of the Statute and the directions of the Rubric, from which the alleged ambiguity resulted, thought it their duty to follow the Rubric. If, in consequence of this diversity of opinion—a conscientious one, no doubt—the clergy were liable to penalties, or the validity of marriages were questioned, it was both in the interest of the Church and of the public that Parliament should at the earliest possible moment remove all doubt without reference to any ecclesiastical question whatever. The Act of Parliament was paramount. No lawyer would deny that if Rubrics differed from an Act of Parliament it was the former which must give way. As to the Commission, he could not see why legislation for any useful purpose should be suspended while their inquiries were going on. If it were the opinion of the Royal Commission that the Rubric was not in conformity with the Act of Parliament it should be brought into conformity with the Act. For himself, he had no doubt as to the meaning of the Act of Parliament; but if doubt existed language should be adopted to make it clear.

Sir WILLIAM HEATHCOTE said, he did not consider this a case of setting up a Rubric against an Act of Parliament, but of conflict between two Acts, the Rubric in question, which governed the publication of banns before Lord Hardwicke's Act, being as much an Act of Parliament as the Statute of 1753. The real question at issue was whether Lord Hardwicke's Act repealed by implication the enactment of the Rubric, or whether, notwithstanding that Act, the Rubric retained its original force. The doubt was not an unreasonable one, and it was right it should be cleared up. But, under existing circumstances, the question was no longer one of law, it had become one of expediency, and the question was how best to deal with it. Lawyers of eminence had so understood Lord Hardwicke's Act as to hold that while the Act imposed the necessity of publishing the banns at some time, and specified the time at which they should be published at Evening Service, it did not alter the original intention of the Act of Parliament, as embodied in the Rubric, that banns should be published at Morning Service at a different time. There was a great advantage, he thought, in the examination of this subject by the Commission on Ritualism, and he could not concur in the objection taken by the right hon. Gentleman (Sir George Grey) that to leave it to them would be setting up the authority of the Commission against that of Parliament. It seemed to him that by remitting this subject to a body of men, in every way competent to advise, a difficulty would be solved which required to be set at rest.

Mr. P. WYKEHAM MARTIN said, it was admitted that very serious doubts had arisen which it was desirable to solve. It was quite indifferent to him at what time it was required that the banns should be published — whether after the Second Lesson or after the Nicene Creed. He resided on the borders of two parishes. At one parish Church the banns were published after the Second Lesson, at another the clergyman read them at another part of the Service. As the Services were now sometimes split up with an interval between each, it might happen that persons going to forbid the banns might attend the wrong Service, and a case of this kind had occurred within his knowledge. It was therefore important that the practice of the Church should be accurately defined and made uniform. If the Bill were read a second time the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) would still be in a position to move an Amendment. His hon. and learned Friend who had charge of the Bill did not want to alter the law, but to have it better defined.

Mr. HENLEY said, that the very fact of that debate showed that there was plenty of ambiguity in this matter; but what were the plain facts? The hon. Member for Stoke-upon-Trent had told them that about the middle of the last century there was a great social scandal, and Lord Hardwicke's Act was passed. As long as he could recollect the banns were read after the Second Lesson; lately, however, some persons had taken something in their heads, and eminent lawyers had been found whose opinions contradicted each other point blank. He would here observe that there never was a time when eminent lawyers did not directly contradict each other upon the matter referred to them. This Bill gave an interpretation upon a matter on which great ambiguity existed, and which he thought it was the duty of Parliament to make plain. The hon. Member for Stoke-upon-Trent argued that Parliament need not clear up this matter, because a Commission on Ritualism was sitting, which, at some indefinite time, might recommend Parliament to do something, and then the ambiguity could be cleared up. But what would happen in the meantime. There would be a difference of practice in a very serious matter. Lord Hardwicke's Act was passed to secure a notice by banns; but there was nothing so uncertain as such a notice, if it were left to the will of an individual to give that notice at one time or the other as he pleased. It did not matter a half-penny at what time the banns were published; but it was only due to the public to clear up the ambiguity and to say what time the banns ought to be published. He would only remark, in conclusion, that if Church people went squabbling about such matters, and if difficulties of this kind were set up by crotchetty persons, people who were indifferent would find another mode of getting "tied," and would go to the Registrar's office to be married. He, for one, should regret such a result, and he would vote for the second reading.

Mr. WHALLEY said, he did not entertain the slightest hope that anything good would come of the Commission on Ritualism, nor did he know any person who expected from them anything but a foregone conclusion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

ROMAN CATHOLIC CHURCHES, SCHOOLS, AND GLEBES (IRELAND) BILL.

(*Sir Colman O'Loghlen, Mr. Gregory, Mr. Murphy.*)

[BILL 127.] SECOND READING.

Order for Second Reading read.

SIR COLMAN O'LOGHLEN, in moving that the Bill be now read a second time, said, that its object had been much misunderstood, judging from the comments in some newspapers and from the contents of a Circular which had been sent round against the Bill this morning, signed on behalf of the Scottish Reformation Society. The Bill merely extended the present law, which enabled parties to make grants or leases of lands for sites for the Roman Catholic Churches and Schools, and to make grants or leases for Roman Catholic glebes. The hon. Member for North Warwickshire (Mr. Newdegate) supposed that this Bill repealed the statutes of mortmain; but those statutes did not extend to Ireland, and therefore the present Bill did not in the least interfere with the law of mortmain. In fact, it did not introduce any new principle beyond that already sanctioned by Parliament. It was, moreover, a purely voluntary Bill; it simply enabled owners to make the leases or grants in question if they thought proper, and there was a proviso that the site of a church or school under the Bill should not exceed five acres, and that a glebe should not exceed twenty acres. With regard to glebes, he might explain that under the present law an absolute owner might either grant or devise land for glebes, and, indeed, for any other purpose, connected with the Roman Catholic Church. This power was given by the Charitable Donations and Bequests Act of Sir Robert Peel, passed in 1844, at which time the matter was very fully discussed, and the policy deliberately sanctioned. But though an owner in fee might make a grant for glebes, a limited owner did not possess this power, and the object of the present Bill was to confer upon limited owners the same power, or rather a more restricted power, than was conferred upon the absolute owner under Sir Robert Peel's Act. Under that Act an absolute owner might grant any number of acres for a Catholic glebe; but under this Bill twenty acres would be the limit, and every lease made by a limited owner for a glebe was to reserve the best rent that could be got for the land, and the grant would be void if the land were used for any other purpose except that stated in the lease. If the law allowed the absolute owner to grant a glebe, he did not see why the limited owner should not have the power to make a lease or even a grant for the same purpose, with the sanction of the successor or of the Landed Estates Court. There was a strong feeling among both Protestants and Roman Catholics in Ireland that there would be a great advantage in having glebes and fixed residences provided for the Roman Catholic clergy. Lord Lifford, a Conservative nobleman and a supporter of the present Government, a man of strong political opinions and living in the North of Ireland, had recently published a pamphlet, in which he not only warmly advocated the establishment of glebes for the Roman Catholic clergy, but also argued that the State should apply a sum of money to buy glebes for them. Lord Lifford spoke in the highest terms of the genial kindness of the Roman Catholic clergymen to the poor, and of their charitable and self-denying lives; and he drew attention to the fact that in every attempt at rebellion, the Roman Catholic priesthood had loyally given their assistance in the cause of the Queen and of order. In Ireland most of the land—not less perhaps than eleven-twelfths—was held by limited owners, and thus it happened that the Act of 1844 was almost inoperative, and so few grants of glebes had been made. With respect to sites for churches and schools limited owners had the power under an Act brought in by Mr. Justice Keogh to make these grants to a certain extent. Under that Act, the 18 & 19 *Vict.* c. 39, the limited owner had the power of making a grant of not more than five acres for churches, school-houses, and residences for clergymen and schoolmasters, and the present Bill only extended a power already enjoyed. That Act required that the lease should reserve the best rent that could be obtained; but by the present Bill a limited owner might make a lease for a site of a church or school at a nominal rent, when the site did not comprise more than two acres. The present Bill also proposed to authorize the lease to be made direct to the Roman Catholic Bishop and his successors instead of to trustees in trust for the Roman Catholic Bishop and his successors. The Roman Catholic Church in Ireland would thus hold land in the same way as the Protestant Church held land. He thought that if the law permitted a thing to be done indirectly it was much better that it should be allowed to be done directly, and he should be glad to see the position of the Roman Catholic Bishops in Ireland fairly acknowledged. The Bill contained a clause empowering the Board of Works in Ireland to lend money for the purchase of glebes; but this he proposed to strike out in Committee, in deference to the objections of some hon. Members. No hon. Member had given Notice of any opposition to the Bill ; but no doubt the hon. Member for North Warwickshire and the hon. Member for Peterborough would rise and with fervid zeal deprecate the passing of the Bill. He hoped they would argue the Bill on its merits, and not talk about the Czar of Russia or the Pope of Rome, or enter into other questions which had no bearing on this measure. The days of bigotry and intolerance had passed away ; France and Austria had set examples of liberality by permitting Protestants to fill exalted positions in their Governments, and England should follow their example by doing away with all invidious distinctions between the Roman Catholic and the Protestant subjects of Her Majesty. He hoped he had said enough to induce the House to sanction the principle of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE*: Sir, I thought it necessary, as no other Member had given Notice of his intention to oppose the second reading of this Bill, that I should do so ; I therefore gave Notice soon after the meeting of the House this morning. It was my wish that some other Member of the House should give this notice, because, unfortunately, since the removal of Sir James Whiteside from this House and his elevation to the Bench in Ireland, and the promotion of Lord Cairns to the position of Lord Justice of Appeal and to a seat in the House of Peers, I remain, I am sorry to say, almost the only Member of my own standing who seems prepared to discuss these questions. This House has suffered a very great loss on such occasions as the present by the removal of those two learned persons. I trust that the other hon. Members, who, without being intolerant, still respect the Protestant constitution of their country, will not leave me alone to meet the constantly aggressive action, which the Papacy is carrying on in this House through the agency of the Roman Catholic Members from Ireland. The hon. Baronet who has just spoken (Sir Colman O'Loghlen) has commented upon my conduct, when this Bill on a former occasion stood for the second reading. I then objected, Sir, to the postponement of the Bill, because the intention to postpone it was not announced until we found ourselves literally in the middle of the day, for which it stood on the Notice Paper for second reading. I had spoken to many hon. Members, and they came down to the House expecting the Bill to be debated. On that occasion we were all here, and I hold, that when an hon. Member means to postpone the second reading of a Bill, he is bound in courtesy not to delay, until the time that the Bill is called on, to announce the postponement. We felt, therefore, that there was a want of courtesy in the fact, that summoned by the Notice on the Paper, we attended in our places, and when the Order was called, we were suddenly told that we were not wanted and might go about our business, since the hon. Gentleman could not attend, so that our presence was of no use whatever. I divided the House to mark our remonstrance against such a practice. Now, however, the hon. Member has appeared, and, I admit, argued in favour of the Bill with legal acumen and some astuteness. At the conclusion of his speech he made the admission that there is a vital difference between the principle of the Bill and that of Sir Robert Peel's Charitable Bequests Act of 1844, having at an earlier period broadly stated that the law of mortmain does not apply to Ireland. I happened to be a Member of the House in 1844, and I thought I correctly remembered the provisions of the measure of that year, and upon referring to them I find that it is so. It may be said that some of the statutes of mortmain do not apply to Ireland ; but I hold that the principle of the law against mortmain applies to the whole of the United Kingdom, and most careful were Sir Robert Peel and his legal advisers to constitute a Commission, by that Act empowered, and directed by that very Act to secure, that the principle of the law against alienation in mortmain should not be abused. It is a quibble to say that the principle of the mortmain law does not apply to Ireland; for the precise object of the Act of 1844, as shown by the appointment of the Commission and the instructions given to the Commissioners, is, that the principle and objects of the law of mortmain shall be enforced in Ireland by a competent body, appointed under that Act for the purpose of preventing abuse. The House will forgive me, if I detain them for a few minutes, while I explain the true effect of this Bill. There is one provision in it which characterizes the whole measure and shows the quarter whence it emanates; and here I beg to say, that I claim to speak not merely as a Protestant and a member of the Church of England, but as a Catholic, and on behalf of no small part of the Roman Catholics of Ireland, particularly the educated Roman Catholics, who repudiate the objects sought by Dr. Cullen. I see in 1859 he signed the address of the Roman Catholic Bishops to the people of Ireland as "apostolic delegate"—that is to say, as Legate. I have obtained an authentic copy of that document, because the Chancellor of the Exchequer raised a doubt as to Dr. Cullen's being a Legate, and the hon. Member for Dundalk (Sir George Bowyer), when I was speaking in this House upon another but cognate subject, went so far as to contradict my assertion. As I have studied these subjects more perhaps than the majority of hon. Members, I trust the House will permit me to show how important is the fact that Dr. Cullen is an apostolic delegate, that is a Legate appointed by the Papacy to perform the functions of his office in Ireland, and how the performance of the functions of that office by Dr. Cullen bears upon this Bill, and especially that provision of it, which is a direct invasion of the principle of the law against mortmain as it is operative in Ireland under the machinery created by Sir Robert Peel in the Bequests Act. Hon. Members are now occupied with the consideration of the Reform Bill during the present Session; it has, in consequence, been difficult to attract their attention to other subjects. Certain hon. Members for Ireland, not embarrassed by having to consider a Reform Bill for Ireland, have introduced several Bills of a like nature to this. The hon. Mover of this Bill has been among the most active of these Members. By these Bills, and by this Bill itself, were it to pass, an actual revolution in the position of the Churches in this country, and of the Constitution of this country, as repudiating the interference of the See of Rome in our internal affairs, is in process of being carried out. It is painful to me to trouble the House so often; but knowing this fact, I feel bound, whatever may be the difficulty, to attempt to direct the attention of the House to what is going on. Now, what is the proposal contained in the Bill? I will not go at any length into the method it proposes for securing the appropriation of property—but what is the chief intention of the Bill? It is this—the Bill would empower all owners of property, even owners with limited titles, who would be dealing with reversionary property—property which is not their own—by means of leases—some of them leases for 900 years, granting possession almost equivalent to freehold tenure—and by actual sale and by bequest of freeholds, to provide, that whatever property can be obtained through the influence of the Roman Catholic clergy, to the extent of sites for building of five acres each, or glebes of twenty acres each anywhere, shall, whether this property be given or sold, vest, not in the parish priests, as they call themselves—the incumbents of the Roman Catholic chapels—not in any Roman Catholic laymen, but solely in the Roman Catholic Bishop, officiating in the district. It appears to me that the Bill is drawn up on the presumption that the Ecclesiastical Titles Act has been repealed; for it is proposed to vest whatever property can be obtained for the purposes of this Bill in no trust, which might include laymen, and not in any of the inferior clergy, but solely in the Bishops, who, by the very terms of this Bill itself, are for the purpose of holding this property created a corporation *sole*, that is, with succession; and are described as Bishops of certain districts or dioceses. It is an infraction of the principle of the Ecclesiastical Titles Act to recognize Roman Catholic Bishops as the Bishops of any particular diocese; and this is directly done by the Bill before the House. The object of the Bill is, I repeat, to vest the whole of the property that can be acquired under its provisions by the influence of the Roman Catholic clergy at the bedside of the sick man, or however otherwise it may be obtained, from the dying, from the feeble, or from the timid, in the Roman Catholic Bishop of the district or diocese, as it is called, and in him only, *virtute officii*. That is a new principle; and if the House sanctions this principle, it will, in the persons of the existing Roman Catholic Bishops in Ireland, and their successors, formally and by law establish the Roman Catholic Church in Ireland. Such, then, is the principle of the Bill. The leading spirit in all this is Dr. Cullen, apostolic delegate in Ireland from the Holy See. I have Roman Catholic authority for saying this—a pamphlet, entitled *Freedom of Education, What it Means*, written by Mr. James Lowry Whittle, a barrister, of Gray's Inn, who appears to be a person very well informed with regard to the position of the respective parties that exist in the Church of Rome, throughout the world generally, and particularly in Ireland. This pamphlet explains the conduct of Dr. Cullen and the Roman Catholic hierarchy in Ireland, whom he controls as apostolic delegate in that country. I hope the House will excuse me if I read an extract or two from this pamphlet; because I do not wish to be told that I am an ignorant Protestant and know nothing about these subjects, whereas, I do not find myself more ignorant than some Roman Catholics, with whom I have conversed, for I find that some of them literally feel themselves precluded from examining these questions for themselves, notwithstanding that they are of the deepest importance to them and to their position with respect to the Roman Catholic religion and to the Papacy, as an operative power in Europe. "Irish Catholics," writes Mr. Whittle—

> "May be now divided into three broad classes. First, the Ultramontanes. This consists of the Bishops and their political mouthpieces in the press and in Parliament. I do not mention the clergy as a distinct element, for they do not deserve to be so considered. Church discipline, unchecked by any considerable body of lay opinion, has reduced them—a hard-working, conscientious, partially educated class of men—to unlimited submission to the Bishops. Neither are the country voters a separate element. They give the Bishops their political strength, but what with their poverty and ignorance on the one hand, and on the other their distrust of the Government and the higher classes, they are ready to follow the Bishops without reserve. In England there is a certain section of the Catholic laity who have a predilection for the more subtle forms of Ultramontanism, but in Ireland such a party has no existence. Secondly, there are the dissentient opponents of Ultramontanism. This class embraces the Catholic gentry, the professional and literary classes, and the leading Catholic merchants. At present their bond of union is chiefly the natural repugnance of free citizens to the destructive theories Ultramontanism now openly professes. Thirdly, there is the great mass of the Catholic people who are too busy or too ignorant to understand the struggle going on within the Church. It is this mass of practical Catholicism, that the example of educated members of their own faith and the current events are preparing every day to accept sound constitutional opinions. It is to check this process that the Ultramontanes are bestirring themselves, and it is against the Government assisting them, that, on behalf of independent Roman Catholics, I now protest. I shall endeavour to show, not merely the hardship such action on the part of the Government will be to us educated Catholics; but the mischief and danger it will occasion to Ireland and the Empire at large."

This Bill, Sir, permit me to say, affords another illustration of the modern Ultramontane action of the Papacy, which, as regards this country, commenced in 1850. When, in the year 1850, the Pope issued his brief, for what he called the organization and establishment of the Roman Catholic hierarchy in England (acting upon the advice of that Ultramontane body, the Propaganda, and of Dr. Ullathorne, the Bishop of Birmingham, as he called himself; for Dr. Ullathorne has stated this in a published letter, which I have here); by that brief, by that act of Papal aggression, the Pope broke up all the customs which had acquired the force of canon law in Great Britain—customs whereby, after they had become the canon law, the charitable and religious property of Roman Catholics in this country was held, whether that property was in the possession of the priests who performed these duties in the several localities, or in the laity, who, by creating trustees, asserted their claim to this, as their own property. I do not state this upon any vague authority. If hon. Members will take the trouble of referring to the debates of 1851, you will find that I quoted a petition from the priests of the Hexham district, to the effect that they had prayed Dr. Wiseman not to enforce upon them the Ultramontane principles of that brief; not to take away from them the chapels, which some of them had been the means of building; the property which had been given to them by the Roman Catholic families of this country — property which they had lawfully acquired; afterwards they appeared before the Mortmain Committee of this House in 1852 and 1853, and showed the House that they needed the protection of the law, whether as laymen or as Roman Catholic priests, to prevent the property that was their own or that of their congregations being seized by Cardinal Wiseman on the Ultramontane principle, that every atom of property, real or personal, belonging to Roman Catholics for charitable and religious purposes, shall vest in the Bishop only, and in no other individual whatever, but be under his absolute control. I earnestly supported the appointment of that Committee, and the hon. Member for Cambridge, who, notwithstanding the opposition of the hon. Member for Dundalk in particular, and the Ultramontane section of the Roman Catholics, carried the Roman Catholic Charities Act, which so adapts the law as to afford the requisite protection. I had the satisfaction of seeing the Roman Catholic Charities Act passed by both Houses of Parliament in 1860, whereby we secured to our Roman Catholic fellow-subjects all we could secure in such a case, a fair and rightful appeal to the Courts of this country, without the fear that their charitable property would be alienated on account of the deeds under which it was held violating the Superstitious Uses Act, without the necessity for appealing to Rome, or to any foreign intervention, that Act secures for them an appeal to English Courts, which are not likely to decide in favour of the Ultramontane principle, that the whole thing shall be vested in the Bishop, but in favour of the rights of individuals. Sir, I object to this Bill, then, because it goes directly in contravention of the provisions in the Roman Catholic Charities Act, and because it would give the sanction of law to the vesting, solely in the Bishops, the whole of the charitable property of the Roman Catholics. This is not the old principle of the Roman Catholic Church. The old principle is still exemplified in the parochial system of England; and the parochial system was established in Roman Catholic times, and has ever maintained the independent right of the parish priest. Yet we now find an hon. Member, who calls himself a Liberal Catholic, proposing a Bill conceived, not in that ancient Catholic sense, but for the promotion of the power of that Ultramontane Legate, Dr. Cullen. Now, although I am a Protestant, I have read enough of the Papal laws to know, that when the Roman Catholic Bishops are convened, or are liable to be convened, into a provincial synod by the authority of a legate apostolic, that is by a representative of the Court of Rome, they can originate no action as to property without his consent. It is not merely that the legate has a veto, but they cannot originate any proposal whatever without his consent; and if they were to come to any resolution without that consent, it would be instantly abrogated by Rome. Thus with regard to all these temporalities, all these properties, and matters, by the regular constitution of the Church of Rome, the Bishops have no separate will and discretion, separate, that is, from the dictation of the delegate apostolic, as the deputy of the Holy See. What does this Bill do then? It proposes to give the opportunity and the means; nay, it even proposes to use the public money to create masses of property throughout Ireland, which shall be at the disposal, not of Irish laymen or the Irish priests, but of Roman Catholic Bishops, who are in all such matters the mere tools and instruments of the legate apostolic, who is the direct representative of the Papacy—a foreign Power. Well, is this a small principle, a principle of no importance? Sir, this principle is not to be found in any Act relating to property within the United Kingdom; yet that is the principle which the hon. Baronet recommends to our adoption by his Bill, as though it were nothing more than a mere matter of detail. What, then, is the character of the person who, by this Bill, would become invested with this enormous power? By permission of the House I will give you, in a few words, the description of Dr. Cullen, as sketched by Mr. Whittle. Cardinal or Dr. Cullen is, no doubt, according to this description, a very able man; his manners are probably attractive; but he is a man thoroughly imbued with Ultramontane opinions. Mr. Whittle shows, that formerly in Ireland Ultramontane opinions, which are those of the Propaganda, of the Jesuits, and of the present Pope, did not prevail; but he shows that they sprung up with the advent of Dr. Cullen in Ireland. "Archbishop Cullen," he observes, "ably availed himself of the crisis" (that is of the public excitement in 1851, produced by the Papal brief of the previous year in this country)—

> "And won so much popularity, that on the death of Dr. Murray, in 1852, his name was sent to Rome as *dignissimus*, and he became 'Archbishop of Dublin,'"

as Mr. Whittle calls him. It is a singular fact, that when Dr. Cullen was originally appointed a Roman Catholic Bishop in Ireland he was appointed contrary to the express wish of the Irish Bishops, by a process then new to the Roman Catholics in

Ireland. The Pope set aside the three names, which were by canonical custom recommended to the Pope by the Roman Catholic Bishops in Ireland, and insisted upon appointing Dr. Cullen. Mr. Whittle continues—

> "He was appointed Papal delegate, an office which gives him controlling power over the whole Church of Ireland. Since that period he has used his immense powers unsparingly to promote the most extreme Ultramontanism. He is an able administrator, and may be taken as the representative of Ultramontanism in action. He has pursued his course, standing aloof from his flock, whom he ignores; from his clergy, whom he has made his mere machines. If the resolution and energy of fanaticism make a man great he has certainly some claim to that appellation."

That is the description of Dr. Cullen, given by a Roman Catholic barrister, who entertains the same views as those which, to a great extent, prevail in Italy and in France. His are the principles upon which the Code Napoleon is founded, and which prevail in the Government of France, and of every other country where the Code Napoleon is in operation. They are adopted now in Italy, since she has at last discovered, that allowing the Roman Catholic Church to hold enormous masses of property, free from the restrictions of the law of mortmain, is incompatible with the welfare of the country, with social and political freedom, with morality and peace; for Ultramontanism tends to revolution. And here I must say, that I cannot comply with a recommendation which the hon. Baronet has made to me with respect to a certain document which is in the hands of hon. Members. I cannot refrain from alluding to the circular despatch of Prince Gortschakoff; that document gives an account of the relations between Russia and the Holy See, extending over a period of forty or fifty years, and I can well understand why a Member of this House, especially if he be an Irishman, who comes to ask the House to pass Bills in the sense of Ultramontanism—that is, of the policy of the Jesuits, the present masters of Rome—should feel very sore indeed when the attention of the House is directed to the history of Poland and to the circumstances which rendered it impossible for Russia to continue relations with the Holy See in accordance with that ample toleration and security, which since the days of the Empress Catherine, Russia has extended to Roman Catholics, and Roman Catholic property in every form, whether held by bishops, priests, or communities of monks or nuns. What is the history of Poland in this respect? There was a time, towards the close of the last century, when this Ultramontanism, this exaggeration of Roman Catholic fanaticism by its excesses aroused the Roman Catholic monarchies and peoples of Europe to such a degree, that Pope Clement the XIV. was induced to denounce the principles and suppress the order of the Jesuits, the authors of these Ultramontane doctrines. Well, Roman Catholic Europe prevailed, the order was suppressed; but the Jesuits acted on the dictum of their general, who told the Pope that they were unchangeable in their constitution and objects. The general of the Jesuits, when a captive in the hands of the Pope, rejected every proposal for the reformation of the order or of their practices, in the emphatic words, *Sint ut sunt aut non sint.* "Let them remain as they are, or let them perish." On this declaration the Papacy decreed the suppression of the order; rejected by Roman Catholic Europe on account of their inordinate ambition and covetousness, which had caused tumults and civil wars; on account of their breaking in upon the peace of families, and grasping private property to an enormous extent, which they held in defiance of the laws against the principle of mortmain; for mortmain means the dead hand of those who have no successors, except by appointment. Strange to say, when this order, thus condemned, was rejected by Catholic Europe, it was received by Prussia and by Russia. The Empress Catherine was induced to accept their services for political objects; Frederick the Great was induced to accept their services ostensibly for other objects, but really in the same sense; and Frederick was heartily laughed at by Voltaire, his old friend, who had been educated by the Jesuits, for fancying that he could control their action. The result fully verified Voltaire's conclusion. But Catherine harboured them, and encouraged them to collect property, both in White Russia and in Poland. In 1820, however, the Russian Government found them intolerable, and the Jesuits were expelled; the possessions of the Roman Catholic Church, which were very large, were, however, retained to that Church; and in time the Jesuits crept back into Poland and into Russia. Russia was really tolerant; she secured the property of the Roman Catholic Church to the regular orders, other than the Jesuits, and also to the convents. And how has she been rewarded? Because the Emperor could not, dared not, and would not, allow the Papacy to invade the independence of his country, of his Empire, by the issue of edicts, unknown to himself, and without his sanction, a bloody rebellion was stirred up. The gratitude of these Ultramontanes for Russian toleration has been manifested by at least three rebellions. At last, finding himself perpetually deceived and tampered with by the Papacy, the Czar in duty to the independence of his Empire and to the individual, social, and political freedom of his people—the Emperor of Russia, who has done more for freedom than any man living, by the emancipation of the millions of Russian serfs—found it absolutely necessary to withdraw his ambassador and functionaries from Rome; because his Holiness would not send a Nuncio, whom the Emperor had invited to St. Petersburg—would not send a Legate to Russia—unless the action of this Legate or Nuncio was to be completely independent of the Russian Government, independent to an extent, which the Government of Roman Catholic France will not, dares not, permit; and which no other Roman Catholic country, except, perhaps, benighted Spain, permits. Such is the temper of the men, in whom this House is asked by the Bill on the table to vest property, to an extent, of which we can form no idea, and in accordance with the principles of this very Ultramontanism, which has created so many revolutionary disturbances throughout the Continent. It is reported that the Mexicans have murdered the Emperor Maximilian. What is the character of Mexico? Why that Ultramontanism has had a hold there, which, for the sake of peace, of commerce, and of civilization, the Emperor of the French has endeavoured to loosen. I ask the House, then, not to give to the Roman Catholic Bishops in Ireland the power, which this Bill would give them, of holding in mortmain, and of disposing of the property. I ask the House not to give them these extraordinary powers, in violation of the principle of the law against mortmain, for the purpose of establishing, not only in power but in property, Ultramontanism in the persons of the Roman Catholic Bishops in Ireland, and of their commander and head, the apostolic delegate, Dr. Cullen. I beg to move, as an Amendment, that the Bill be read a second time this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Newdegate.*)

Question put, "That the word 'now' stand part of the Question."

MR. BAGWELL, while declining to follow the hon. Member for North Warwickshire into the history of the Papacy from the beginning of the world, expressed it to be his intention to support the Bill, as calculated to effect in a plain and straightforward way that which was now done by a process which amounted to something like a sham. He objected as much as the hon. Gentleman to having large tracts of land vested in the Roman Catholic Church in mortmain, but it was making a mountain of a molehill to regard the present proposal as likely to lead to such a result. The Bill was not a revolution but a reform—it merely provided for the appropriation of small plats of ground for Roman Catholic churches and schools, and of twenty acres of glebe to each parish. It was, he thought, most desirable that the clergy of that persuasion, who received the education of gentlemen, should be placed in a better and more independent position, for this would tend to make them more attached to the laws under which they live. He thought that, at no distant date, they would find Government coming forward with a proposal of this kind instead of leaving it to a private Member; but in the meanwhile he felt assured no hon. Member who had the welfare of Ireland at heart could reasonably object to the steps which his hon. and learned Friend the Member for Clare suggested should be taken for that purpose.

MR. WHALLEY said, no one could more strongly than himself desire that the Roman Catholic clergy in Ireland should be placed in a comfortable position, and that they should have every facility for administering their services; but he objected to the concessions which the House was so repeatedly invited to make to the Roman Catholic hierarchy of Ireland, on the ground that they only led to fresh demands on the part of a body whose organization was entirely hostile to the maintenance of those principles of civil and religious liberty which happily prevailed in this country. The hon. and learned Gentleman the Member for Clare (Sir Colman O'Loghlen) had, he added, referred to him as being fresh from Birmingham, and he was glad he had done so, because it gave him an opportunity of stating that all that hon. Members might have heard or read on the subject was entirely at variance with what had actually taken place. The fact was, that those who were present at the meetings which he had attended at Birmingham asked with one voice what the meaning was of all those concessions which Parliament was making to the Roman Catholics, and whether the Government had, acting as the representatives of the Queen, changed their views as to the position which they ought to occupy in reference to the claims made by the hierarchy of that Church—["Question!"]—one of whom, Dr. Cullen, did not hesitate to declare that the descendants of James II. were really the persons entitled to the sovereignty of this country.

MR. SPEAKER intimated to the hon. Gentleman that it was desirable that he should confine his remarks to the Question before the House.

MR. WHALLEY: Why was it that the House should be occupied Wednesday after Wednesday in the consideration of applications of this sort, which they were called upon to assent to on the ground that they were concessions which ought to be granted to the Roman Catholic people of Ireland? Both the Duke of Wellington and Sir Robert Peel, in reference to the Roman Catholic Relief Act, and also to the Act of 1845, declared that they supported those measures as experiments, with a view to the conciliation of the people of Ireland, and to put a stop to agitation in that country. But so far from those objects being attained, they seemed to increase agitation as well as the discontent and disaffection of the Roman Catholics. It appeared to him that those bit-by-bit concessions placed the relations between this country and Ireland in a worse position than they were before they were granted. The applicants in the present case were the Roman Catholic hierarchy of Ireland, who now asked persons of limited estates to grant to them in perpetuity a certain amount of land and other concessions embodied in this Bill. There was no case of any grievance whatever made out. There was a very general feeling abroad that Fenianism was still smouldering, and ready to break out again when a more favourable opportunity for its advocates and promoters occurred.

MR. J. GOLDSMID rose to order, and asked whether the observations of the hon. Member were pertinent to the Question before the House?

MR. WHALLEY said, if he were permitted an inquiry, he would be willing to forfeit his right ever again to address that House, if he failed in proving the connection between Fenianism and the Roman Catholic hierarchy. He protested against granting any more power to a party who were essentially inimical to the principles of civil and religious liberty in this country. He opposed the Roman Catholic hierarchy not on account of their religious principles, but solely on the ground of their being an enemy to this country. They ought, no doubt, to be tolerated, but at the same time to be regarded with the utmost suspicion. He should certainly do the best he could to afford the people of England every opportunity possible to express their opinions upon their character and conduct.

MR. HENLEY said, he thought it would be advisable to hear the opinion which was entertained of the Bill by the Law Advisers of the Crown in Ireland before they assented to the second reading. It might be either a very small or a very large measure; but it was one to which, if taken in its fullest scope, he thought it would be hardly wise in the House to assent. There were three main provisions in the Bill. It proposed, first, to provide for the granting of leases; and secondly, the making of grants in perpetuity; and thirdly, to give borrowing powers. [SIR COLMAN O'LOGHLEN said, he proposed to withdraw that portion of the Bill.] Now, he did not suppose that within reasonable bounds any one would contend that it was not right that proper opportunities should be afforded to Roman Catholics of acquiring sites on which to build places of worship, as well as schools for the education of their children. He had, however, looked into the Bill to see what conditions it imposed, and he found that power was to be taken by it to give a lease of land for those purposes to the Bishop of the diocese. Now, the first question which arose upon that point was whether the powers sought for under this Bill were sufficiently guarded as to constitute the Bishop, to whom the lease was granted, as what was in common form in this country known as an official trustee. If that point were not already provided for, perhaps an assurance would be given that it would be made so; as well as that it should be laid down that the Bishop holding land under these circumstances should be made amenable to the ordinary legal tribunals as to the administration of his trust. That was a point on which he desired to have the opinion of the Attorney General for Ireland. There was also a clause in the Bill which set forth in general terms that a grant should be held to be void if it were not applied to the purposes named; but it was so vaguely worded that he was afraid it would hardly operate to preclude the Bishop from applying that which was intended for one place to meet the want of another. The next point to which he wished to invite attention was the machinery by which it was proposed that persons having a limited interest in lands should be empowered to give leases or make grants. He doubted whether the Act of 1860, which bound the successor sufficiently, furnished a sufficient safeguard in the matter; because there the word "successor" was defined to be the man immediately interested after the grantor, whereas he thought it desirable that these transactions should not be carried into effect without the full consent of all those who might be fairly held to be entitled to a voice in the matter. He did not think that the Bill, as it was drawn, provided the proper safeguards. He confessed that to his mind it would be a wiser thing if the hon. and learned Member for Clare had selected a layman to act in respect to the objects which he had in view, as it was not desirable to expose persons in the position of Bishops to the danger of being dragged into Courts of Law, in the event of there being any dispute about the specific objects of the trust. No doubt, the Courts of Law ought, and he hoped would, take every security that the trusts so created under this Bill would be properly executed. He further wished for information as to the object of enabling persons possessed of a fee-simple interest to grant leases in perpetuity instead of granting in fee. Without some satisfactory explanation, that was a provision which persons might not unreasonably regard in an unfavourable light; for the title in a grant of a lease might not be so fully inquired into as in the case of a grant in fee. These were points which he admitted might be discussed with greater propriety in Committee. If they could be satisfactorily settled he saw no reason why a Roman Catholic minister should not obtain those objects sought for as readily as the minister of any other Church. He therefore hoped his hon. Friend behind him (Mr. Newdegate) instead of voting against the second reading would, if a satisfactory explanation were given, withdraw his Amendment and afford his assistance towards rendering the measure as complete as possible in effecting the objects desired.

MR. POLLARD-URQUHART expressed a hope that the House would not allow any prejudice to stand in the way of this measure advancing to the stage of Committee, where he should be as ready as the right hon. Gentleman the Member for Oxfordshire to remedy any defects that might be found in it.

CAPTAIN STACPOOLE gave his cordial support to the Motion for the second reading of the Bill.

MR. M'LAREN objected to the Bill, because it referred to one religious denomination alone. Parliament should legislate for the Queen's subjects of all classes, sects, and parties; and any Bill professing only to grant a favour to Roman Catholics, or any other sect, was wrong in principle, and should not be passed. The preamble of the Bill was objectionable, showing that it was merely introduced for Roman Catholic purposes, and therefore he thought it was altogether wrong. When the disruption took place in the Church in Scotland, several congregations wanted places for worship, and experienced the utmost difficulty in getting sites for the purpose. The clergy had to preach on the sea shore, and on the turnpike roads, because the owners of land would not give them sites for places of worship. If ever there was a case that would justify the passing of a special Act of Parliament for the purpose of giving sites for churches, it was the case that had occurred in Scotland. The Roman Catholic clergy had existed in Ireland for centuries, and no doubt facilities should be afforded them to improve their condition; but this was a Bill for them alone, enabling them alone to get grants of lands for houses, glebes, and schools. In everything it was a Bill to favour the Roman Catholics. There was nothing so small as not to be taken in. Even after getting the deed, the parties were to be favoured on registering the deed. It was provided that they should only be charged a fee of 5*s.* Why should a Roman Catholic deed be registered for 5*s.* any more than a Protestant deed? He recommended the framers of the Bill to withdraw it, and bring in a measure affording to all denominations facilities for obtaining sites for places o worship. Otherwise, though he never yet gave a vote in that House against Roman Catholics or against Ireland — he must vote against the second reading of this Bill.

Mr. SYNAN observed, that the promoters of the Bill would be willing to consider the objections raised in Committee with the view of making it applicable to any other religious class which suffered from grievances similar to those of which the Roman Catholics of Ireland complained; but at the present moment the want of proper accommodation for celebrating Divine worship was felt by Irish Roman Catholics alone. His hon. Friend the Member for Edinburgh talked about some persons having to preach upon the sea shore; but in Ireland they had been obliged to perform Divine service in caves and holes from want of churches. In reply to the right hon. Member for Oxfordshire (Mr. Henley), who had asked why grants in fee should not be given instead of perpetual leases, he observed that grants in fee were unknown in Ireland, and that perpetual leases amounted to the same thing. He hoped the hon. Member for Peterborough (Mr. Whalley) would confine the expression of his opinions to the walls of that House, and, in that case, no danger would result from giving utterance to them; whereas, outside of that House, they were calculated to foment bitter animosities and disturbances.

Mr. SELWYN said, he had heard with great astonishment that, before he came down to the House, the learned Baronet who had charge of the Bill had stated that the law of mortmain did not apply to Ireland. That was a misapprehension that ought to be removed. The 9 *Geo.* II. c. 36 was very often in our Law Courts erroneously referred to as the statute of mortmain; but it was not so, but only an Act to prevent dying or languishing persons from making wills, devising lands for religious or charitable uses; and this Act did not extend to Ireland. Mr. Shelford, in his work on Mortmain, states that—

> "Alienation in mortmain, *in mortua manu*, is an alienation of lands or tenements to any corporation, sole or aggregate, ecclesiastical or temporal;"

and the law of mortmain was intended to prevent this, and that applied to Ireland as much as to England. He further found that, in one of the later years of the Irish Parliament, an Act was passed to empower the Crown to grant licences to alien lands in mortmain, 32 *Geo.* III. c. 31, and yet they had been told that the mortmain law did not apply to Ireland. It might be right to do for the Roman Catholics in Ireland what had been done with respect to other religious bodies in England, where certain exceptions from the mortmain law had been recognised in favour of churches and schools; but he thought it was going too far to give, as was proposed by the present Bill, to a man who might purchase at a small price an advanced life interest in an incumbered estate, the power of making a lease of it for many years against all the real owners. That was certainly going a great deal further than they had yet gone in favour of the English Church, or of our Colleges and Universities. The Bill was open to three objections—first, that it would in effect repeal the law of mortmain, which extended to Ireland, and would recognize the Roman Catholic Bishops as capable of holding lands in perpetual succession, as ecclesiastical corporations *sole*; secondly, it would give power to tenants for life in Ireland to do what could not be done in England—that of giving away the property of others for these purposes; and thirdly, that the alleged object of the Bill might be attained in a more simple manner.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) considered it his duty to ask the House to pause before sanctioning the second reading of the present measure; for, with one single exception, everything proposed to be effected by it was already provided for by law, and that exception might be remedied by a single clause of five lines. The Bill must be considered under two heads—one to enable persons to grant leases for ever for the purposes specified in the Bill; and the other referred to charitable donations and gifts as there set out. He was not unfavourable to the object of providing, under proper regulations, the means of obtaining moderate quantities of land for suitable residences for Roman Catholic clergymen; but he feared that something more was intended by the Bill, because there existed already efficacious machinery for attaining that object. By Sir Robert Peel's Act of 1844, which related to charitable donations and bequests, every person and body corporate in Ireland could hold land for places of worship and schools, and suitable residences for the clergy, as proposed by this Bill, through the official trustees, the Commissioners of Charitable

Donations and Bequests, subject to the reasonable limitation that the deed should have been executed three calendar months before the death of the person who made the gift. This Bill, however, proposed that, instead of these donations and gifts being vested in official trustees, they should be directly vested in the Roman Catholic Bishops of Ireland; and that he thought objectionable. The Bill proposed that five acres of land might be granted for the site of a church, chapel, or school, or residence attached thereto, and twenty acres for a glebe. This object, however, was already provided for by the 18 & 19 *Vict.* c. 39, by which powers were given to any person to grant a lease of land not exceeding five acres for a place of worship, school-house, residence, and glebe for a term of 999 years. If therefore the objection was that five acres of land were not sufficient, a very simple Bill could be framed by which the quantity might be extended to twenty acres, and, consequently, the present Bill was not required. The Bill provided that a lease made to a Roman Catholic Bishop of a diocese or district and his successors should enure to the Roman Catholic Bishop for the time being of such diocese or district, and he contended that the passing of such a provision would be an acknowledgment as a corporation sole of a Roman Catholic Bishop and his successors, though they derived their authority from a source not recognised by the law. He thought it would be better to vest these endowments, if they did it at all, in the parish priests than in the Bishops. He could not consent to the second reading of a Bill which would take from the custody of the present official trustees the lands and endowments that were vested in them for the benefit of Roman Catholic charities, and place them in those of the Roman Catholic Bishops. Deeming the Bill totally unnecessary, he recommended the House to consider well before agreeing to it, as it appeared to contemplate something not openly avowed.

SIR COLMAN O'LOGHLEN, in reply, said, he wished expressly to state, in reference to the objections taken by the hon. Member for Edinburgh (Mr. M'Laren), that he should be most willing, if the Bill went into Committee, to extend its provisions to all religious denominations. The hon. and learned Gentleman the Attorney General for Ireland objected to the Bill as recognizing the perpetual succession of Roman Catholic Bishops; but, in point of fact, this was already done by the Act creating the Charitable Bequests Commission in Ireland. He denied that the Bill was unnecessary, or that what was in it was already in the law of the land, and, in point of fact, the measure would give the most valuable facilities to limited owners. The Legislature had already sanctioned the principle of giving leases of 999 years by limited owners for religious purposes, which was the point objected to by the hon. and learned Gentleman the Member for Cambridge University (Mr. Selwyn); but it had not sanctioned the granting of glebes or glebe lands by such owners, which this Bill did to the extent of twenty acres to Roman Catholic clergymen, and it would therefore be a valuable boon. He admitted the clause was an important one in the Bill which made the Bishop a trustee. He had put in that clause because, according to the canon law of the Catholic Church, all glebe lands vested in the Bishop of the diocese; but he was perfectly willing to consent to substitute the parish Priest if it were desired. The proper trustee for leases or grants for Roman Catholic purposes was the Bishop of the diocese; but he should be ready to have the matter examined in Committee, and the Bill modified. There were several minor provisions in the Bill, which would have a most beneficial effect, and for the sake of which he should much regret the loss of the measure. The main object he had in view was to give facilities to limited owners of making moderate grants of land for glebes, and if not done now, it ought to be done in some future Session.

The House *divided*:—Ayes 75; Noes 119: Majority 44.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for three months.

UNIFORMITY ACT AMENDMENT BILL.

[BILL 68.] COMMITTEE.

(*Mr. Fawcett, Mr. Bouverie.*)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. BENTINCK, who had given notice of an Amendment that the House do resolve itself into Committee this day six months, said, as there was not now (five o'clock) time for fully discussing the subject, he would not bring forward his Motion if the hon. Member for Brighton would fix the third reading for a day when a full discussion could take place.

MR. FAWCETT would be glad to meet the convenience of both sides of the House as to the day when the third reading should be taken. Any day that suited the convenience of the hon. Gentleman would suit his.

Bill *considered* in Committee.

(In the Committee.)

New Clause.

(Provided, That nothing in this Act contained shall affect the obligation under which any College or Hall may be, in virtue of any statute or ordinance either of such College or of the University within which such Hall is situate, to maintain itself in connection with the Church of England,)—(*Mr. Neate,*)

—*brought up*, and read the first time.

SIR WILLIAM HEATHCOTE said, that the clause would protect the Bill from a good deal of misconception, and therefore, if the hon. Member for Brighton saw no objection to it, he hoped that he would not oppose its introduction.

MR. BOUVERIE thought the clause would have no meaning whatever. It would only conciliate the ignorance of those who did not take the trouble to understand the intention of the Legislature. It could have no conceivable effect on the statutes of the colleges, and only repealed the conditions that had been imposed on them by the Act of Parliament.

MR. SELWYN supported the clause. It would prevent misconception, and in that respect alone would be very useful.

MR. GOSCHEN thought the clause would be useless.

Motion made, and Question put, "That the said Clause be now read a second time."

The Committee *divided*:—Ayes 92; Noes 86: Majority 6.

Bill *reported*; as amended, to be considered *To-morrow.*

TRADES UNION COMMISSION ACT (1867) EXTENSION BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill to extend the "Trades Union Commission Act, 1867," *ordered* to be brought in by Mr. Secretary GATHORNE HARDY and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 227.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, July 4, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Patriotic Fund* (201); Public Records (Ireland)* (202).

Second Reading—Morro Velho Marriages (182); Galway Harbour (Composition of Debt) (176); Blackwater Bridge* (178).

Committee—Land Tax Commissioners' Names* (175); Adjutants of Volunteers* (192).

Report—Land Tax Commissioners' Names* (175); Salmon Fishery (Ireland) Act Amendment* (199); Adjutants of Volunteers* (192).

Third Reading—Court of Chancery (Officers)* (194).

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.—QUESTION.

THE EARL OF KIMBERLEY: Seeing the Lord Privy Seal in his place, I am anxious to ask him, Whether any news has been received by Her Majesty's Government of an authentic character respecting the statement that the Emperor Maximilian has been shot in Mexico?

THE EARL OF MALMESBURY: Her Majesty's Government has received no official information on the subject. The only news we have had is that which appears in a second edition of *The Times*, in one of Reuter's telegrams, confirming the report.

GALWAY HARBOUR (COMPOSITION OF DEBT) BILL.

(*The Earl of Devon.*)

(No. 176.) SECOND READING.

Moved, That the Order of the 3rd of May last be dispensed with in respect of the said Bill, on the Ground of the Delay occasioned by lengthened Negotiations with a Creditor and Necessity of obtaining the Consent to the Measure of a Committee of the Grand Jury of the County of Galway.—(*The Earl of Devon.*)

LORD REDESDALE said, he was reluctant to consent to the suspension of the Order. The Bill was a most extraordinary one, and the circumstances under which it was introduced were equally extraordinary. However, if it was desirable that the Bill should go on, he had no wish to raise any impediment on the ground of the delay that had taken place in the introduction of the Bill.

Motion *agreed to.*

THE EARL OF DEVON then moved the second reading of the Bill, the object of which was to authorize the Commissioners of the Treasury to accept from the Galway Harbour Commissioners the sum of £10,000 as composition for a debt now due from the harbour of £21,000—the debt so compounded to be paid off in fifty years, by an annual payment or rent-charge of 4·0729 per cent. The Bill further authorized the Public Works Commissioners to lend to the Galway Harbour Commissioners the sum of £17,000 for the purpose of improving the harbour and constructing a graving dock which was much wanted. This debt was a first charge on the harbour rates and would have priority over the compounded debt due to the Treasury. There was further a judgment debt of £3,500 due to private individuals. The Bill directed that this debt should be converted into a terminable annuity, which was to be a subsequent charge to the two first-mentioned debts, and in the event of the harbour dues being insufficient to meet the payments, the deficiency was to be paid from the rateable property of the town of Galway.

Lord TAUNTON was understood to suggest that the Bill after it had been read the second time should be referred to a Select Committee.

The Earl of DEVON had no objection to the course, and suggested that Lord Taunton should be Chairman of the Committee.

Lord REDESDALE said, that as there was no one to oppose the Bill he did not see how it could be considered by a Select Committee. The question involved was one which could be decided in Committee of the Whole House as well as in a Select Committee. There was at present a debt due to the Government of £20,000, in addition to the debt of £5,000 due to Mr. Mullins, and these debts were to be compounded for. The harbour was unable to bear the charge upon its present debt. Yet it was now proposed that the Government should pay off the debt of Mr. Mullins, and advance £17,000 for the improvement of the harbour. That would make £22,000, and with the £10,000 that remained, £32,000, chargeable upon a port which could not meet the charges on a debt of £25,000. This appeared to be a very Irish arrangement altogether, and a measure of finance of which he did not quite understand.

The Marquess of CLANRICARDE said, it must be remembered that the absence of a graving dock, the construction of which was one of the contemplated improvements, was the very reason why the harbour was less frequented than it otherwise would be, and why it could not meet the charges upon its debt. At present all vessels had to be sent to Limerick or Liverpool for repairs.

Motion *agreed to:* Bill read 2ª, and *committed* for *To-Morrow.*

GRAND DUCHY OF LUXEMBURG—TREATY OF 1867—THE COLLECTIVE GUARANTEE.—QUESTION.

Lord HOUGHTON: I rise, my Lords, for the purpose of asking Her Majesty's Government the Question of which I gave notice some days ago, and which has been inevitably postponed in consequence of the absence, through illness, of the noble Earl the First Lord of the Treasury, who has come down here to-day, I trust at no inconvenience to himself. I do not desire to challenge any convenient ambiguity in diplomatic instructions; but it is because there are certain words in the second article of the Treaty respecting the Grand Duchy of Luxemburg which seem to me calculated to raise a doubt to disturb the public opinion of Europe, to destroy the pacific character of the Treaty, and to be irreconcilable with the declaration of the Foreign Minister in the House of Commons, that I venture to put this Question. When on the 7th of May last my Lord Stanley presided at the Conference of the Powers on this subject, he brought forward a proposal to the effect that the Grand Duchy of Luxemburg should be a neutral State, and that the contracting parties should engage to secure that neutrality. Now, this was a very solemn and honourable engagement which we and the other parties to the Treaty were asked to enter into. The Prussian Government, however, was not content, but asked for something more, and the "something more" which they proposed was the sanction of the collective guarantee of the European Powers. That was therefore intended to be something different from, and an increase of, the former obligation which Lord Stanley had proposed. At first Lord Stanley objected to the new proposal; but after consultation with the Cabinet he agreed to it. Now, what is the practical effect of that guarantee to be when any necessity for action arises? Whether that action is to be of a material or a moral character must from the very nature of things depend on the circumstances which arise. On that point I do not desire that our obligations should be more strictly defined than they are now. But the interpretation placed upon the Treaty the other day was to the effect that if any one of the signataries defied that Treaty and violated the neutrality of the State of Luxemburg, it would by that very act render the Treaty absolutely null, and discharge all the other parties from their obligations. Now, it is perfectly clear that the only parties against whom this Treaty was directed were signataries to it. It was not Spain, or Greece, or Denmark, or Sweden that were the objects of this Treaty as being likely to violate the neutrality of Luxemburg. The Duchy of Luxemburg has, on account of its peculiar local position, acquired an importance which its natural extent and character among the States of Europe would not justify. In the eyes of Prussia the neutrality of Luxemburg means the integrity of Belgium; while in the eyes of France the neutrality of Luxemburg means the integrity of Holland. Thus grave questions are involved in what is apparently a small and trivial matter. To use the expressive words of the Professor of International Law in the University of Oxford,

> "If the default of one of the parties to this Treaty does discharge all other parties from their obligations, then the sole case in which assistance can be invoked is a case in which that assistance is impossible."

It appears to me that if the object of the Treaty is nullified by the very act to prevent which it was entered into, you convert into a vague ceremony what was intended to be a solemn act and a responsible obligation. And now one word on what passed in "another place" in reference to this subject. Lord Stanley stated that in assenting to the Treaty he had done so with more doubt and anxiety than he had ever felt on any public question. The weight of those words is to my mind very much increased by the character of the noble Lord, who is not a man to indulge in exaggerated statements or even in strong language —these are therefore very grave words. I believe that by the words of the Treaty the parties are bound to resist any aggression whether it proceeds from one of the signataries or not. If the aggressor is a signatary, he adds to the aggression a violation of the Treaty. Lord Stanley used the words "limited liability" in reference to this question; but I will leave it to your Lordships to say whether limited liability may not involve a very serious responsibility. The Question which I have given notice to put to the noble Earl is the more important, because I am aware that there is political agitation going on both in France and Prussia with respect to this subject. It would be a most dangerous thing for any one in that or the other House of Parliament to give colour to that agitation, and I hope that no interpretation will be given to the Treaty which would convert a sense of security in Europe into one of confusion and alarm. I therefore ask the First Lord of the Treasury, What is the construction which Her Majesty's Government place on the words "collective guarantee" (*garantie collective*) in the Treaty of the 11th of May, 1867, relative to the Grand Duchy of Luxemburg?

THE EARL OF DERBY: My Lords, I regret that in consequence of an attack of illness, from which I am still suffering slightly, I have been obliged to put the noble Lord to the inconvenience of postponing more than once a question to which he appears to attach considerable importance. In the first place, I may be permitted to say, although I am ready to repeat the explanation I have already given of this Treaty, but which does not appear to be satisfactory to the noble Lord, that, whatever the interpretation which I may put on particular words of the Treaty, or whatever the interpretation which Her Majesty's Government may put on it, such interpretation cannot affect the International Law by which the terms of all treaties are construed. I, for one, am very unwilling, as I always have been, to underrate or do away with any responsibility which this country may have incurred. Still less would it be my desire that we should shrink from carrying that responsibility out as far as the means of this country would go, and as far as we are bound by the terms of any treaty into which we may enter. In my reference to the Treaty brought under our notice by the noble Lord, I hope he will not understand me as speaking of moral obligations, but of the technical obligations imposed by the Treaty. To the latter only the noble Lord's question has reference, and to them alone shall I apply myself in my answer. I am not much skilled in the ways of diplomatists, but I believe that if there be one thing more clear than another it is the distinction between a collective guarantee and a separate and several guarantee. A several guarantee binds each of the parties to do its utmost individually to enforce the observance of the guarantee. A collective guarantee is one which is binding on all the parties collectively; but which, if any difference of opinion should arise, no one of them can be called upon to take upon itself the task of vindication by force of arms. The guarantee is collective, and depends upon the union of all the parties signing it; and no one of those parties is bound to take upon itself the duty of enforcing the fulfilment of the guarantee. The noble Lord expressed some surprise that with my noble Relative's views of the limited nature of the guarantee contained in the Treaty of the 11th of May he should have said in "another place" that he never had consented to any measure with greater reluctance than that which he had felt in regard of the guarantee embodied in this Treaty. My Lords, I think it is not very difficult to see why my noble Relative should have entertained that reluctance. It was not till the first day of the meeting of the Conference my noble Relative had an opportunity of knowing the extent of the guarantee expected by Prussia; and what has passed this evening shows that he was not unreasonable in his apprehensions that, however cautious the wording of the guarantee might be, in the opinion of some we might be supposed to have entered into engagements more extensive than those which we had actually undertaken, and be by them held guilty of a breach of faith if we did not carry our responsibility to a greater extent than the terms of the Treaty warranted. I must now call your Lordships' attention to the precise circumstances under which this guarantee was asked for and given. It is quite true that, in the first place, Prussia laid down as one of the bases on which she would enter into the Conference that she should receive a European guarantee for the neutrality of Luxemburg. My noble Relative, in the project of a treaty which he prepared for the Conference, did not use the word "guarantee;" but in reference to the Article declaring that the Grand Duchy of Luxemburg should thenceforth form a perpetually independent State proposed the words "the high contracting parties engage to respect the principle of neutrality stipulated by the present Article." Prussia did not think that went far enough; for the Protocol states—

> "The Plenipotentiary of Prussia says that he has in general no objection to make to the project of treaty presented by Lord Stanley, but that he remarks in it a departure from the programme on the basis of which his Government had accepted the invitation to the Conference; that is to say, the European guarantee of the neutrality of the Grand Duchy of Luxemburg; that, however, as all the Powers represented in the Conference have admitted and accepted that programme, he thinks himself justified in hoping that this omission will be supplied in the discussion of Article II. The Plenipotentiaries of Austria, France, the Netherlands, and Russia, confirm the statement of the Plenipotentiary of Prussia that the Powers had accepted as the basis of negotiation the neutrality of Luxemburg under a collective guarantee. Lord Stanley points out that in virtue of the Treaties of the 19th of April, 1839, the Grand Duchy of Luxemburg is already placed under an European guarantee. As to the terms which, in the project of treaty which he has had the honour of communicating to the Conference, refer to the neutrality to be established for the Grand Duchy of Luxemburg, they are identical with those which declare the neutrality of Belgium in Article VII. of the Annex to the treaty signed in London on the 19th of April, 1839, between Austria, France, Great Britain, Prussia, and Russia on the one part, and the Netherlands on the other part. Count de Bernstorff points out that the Treaty of 1839, although it places the territory of Luxemburg under the guarantee of the Powers, does not guarantee its neutrality. Now, the difference between this guarantee and that given to Belgium is very important; and he expresses the hope of seeing the same guarantee given by the Powers to the neutrality of Luxemburg as is enjoyed by that of Belgium. It is thereupon agreed between the Plenipotentiaries to proceed to an examination of the project of treaty, article by article. To add at the end of the Article the words:—'That principle is and remains placed under the sanction of the collective (or common) guarantee of the Powers signing parties to the present treaty, with the exception of Belgium, which is itself a neutral State.' Baron de Brunnow says that he is authorized by his Court to assent entirely to the principle of placing the neutrality of the Grand Duchy of Luxemburg under a collective guarantee. He hopes that this principle will be admitted and adopted unanimously as the best pledge that can be offered for the maintenance of peace in Europe. Count Apponyi declares that his Government has also accepted the guaranteed neutrality of Luxemburg as the basis of negotiation."

And what does the Plenipotentiary for France say?—

> "Prince de la Tour d'Auvergne says that, as far as he is concerned, he has no special instructions respecting the question of a collective guarantee; but that he must agree that this guarantee has hitherto been put forward as the compliment of the neutralization of the Grand Duchy of Luxemburg; and, although, in fact, the engagement which the Powers take to respect the neutrality of Luxemburg has, in his opinion, under the circumstances a value almost equal to that of a formal guarantee, he cannot deny that the Prussian Ambassador is justified in his observations."

I wish the noble Lord, when in asking for an interpretation of the Treaty, had been kind enough to inform us what is his interpretation of the guarantee. I think it would be desirable to know what, in the view of the noble Lord, is the true signification of a collective guarantee, signed by several Powers; because if, as seems to be the noble Lord's inference, each of the parties to such a guarantee is not only bound itself to respect the treaty, but also to enforce individually its maintenance by all the other Powers who were parties to the treaty, I think the French Plenipotentiary would hardly have said the two terms were so similar that one was nearly equal to the other. Let me give your Lordships one or two instances of separate guarantees and of collective guarantees. The first I will take is a very remarkable case—that with regard to the neutrality of Belgium. In the year 1831 a Conference of the five Great Powers laid down twenty-five Articles, which were to determine the relations between Belgium and Holland, and which were to form the basis of a treaty between those two countries. The Powers who were parties to that Conference of 1831 bound themselves to uphold, not collectively, but severally and individually, the integrity of the treaty. That was a separate and individual guarantee. But, notwithstanding, in 1832, when Belgium, who had not been put in possession of the territory assigned to her by that treaty, called on the Powers parties to the Conference to enforce her rights, Prussia, Russia, and Austria declined to interfere by force of arms for that purpose; while, on the other hand, France and England, taking a stricter view of the obligations imposed upon them by the treaty, proceeded to enforce it by combined naval and military operations. In the same treaty there was comprised a guarantee for the possession of Luxemburg by the King of Holland, not in his capacity as King of Holland, but as Grand Duke of Luxemburg. In 1839, after a treaty had been made between Belgium and Holland embodying the main provisions of the Treaty of 1831, a separate one was entered into between the five Powers and Belgium, in which the obligations of the former Treaty of 1831 were repeated and renewed, and the five Powers bound themselves separately to maintain the integrity of Belgium, its neutrality and independence. The Prussian Minister must have been perfectly well aware of the terms of that treaty by which the five Powers, acting individually, guaranteed the independence of Belgium; yet if he thought the one kind of guarantee equal to the other, I want to know why he should have studiously altered the words and asked not for a separate and several guarantee, but for a collective guarantee by the Great Powers for the integrity and independence of Luxemburg? With regard to the difference between a collective and a several guarantee, I may refer to another case in illustration of what I have said. In 1856 an agreement was signed by seven great Powers — Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey—with regard to the independence of Turkey, and these are the terms in which that guarantee is given. The several Potentates—

> "Declare the Sublime Porte admitted to participate in the advantages of the public law and system (*concert*) of Europe. Their Majesties engage,"—and I wish you particularly to observe this—"each on his part, to respect the independence and the territorial integrity of the Ottoman Empire; guarantee in common the strict observance of that engagement, and will, in consequence, consider any act tending to its violation as a question of general interest."

The engagement "each on his part" and "guarantee in common" are precisely the terms introduced into the Treaty of May, 1867, on the request of the Prussian Minister, and the security his Government desired to obtain. Are these treaties, then, to be deemed binding on all the Powers, signataries of the treaty, not only individually to respect, but collectively, individually, and separately to guarantee and enforce the neutrality of Luxemburg? I think the answer to that question is given by a treaty signed only fifteen days after that from which I have just quoted; I refer to the tripartite treaty signed between Great Britain, Austria, and France, having for its object the very same purpose as the former treaty—the integrity and independence of the territories of Turkey. Now, if that was secured by the treaty among the seven Powers, signed only a fortnight before, and if that engagement was binding, as I understood the noble Lord contends, upon each of the Powers separately, I say there was no occasion for the second treaty whatever. The very existence of the second treaty admits the insufficiency of its predecessor, and is couched in these terms—

> "The high contracting parties guarantee, jointly and severally, the independence and the integrity of the Ottoman Empire, recorded in the treaty concluded at Paris on the 30th of March, 1856."

By this separate treaty the three Powers separately and individually guarantee the same thing which a fortnight before had been collectively guaranteed by the seven Powers. The three Powers found it necessary to sign a treaty which should express an obligation upon each, because the previous treaty was not binding separately and severally upon all the signatary Powers. The treaty goes on to say—

> "Any infraction of the stipulations of the said treaty will be considered by the Powers signing the present treaty as *casus belli.* They will come to an understanding with the Sublime Porte as to the measures which have become necessary, and will without delay determine among themselves as to the employment of their military and naval forces."

It is impossible more clearly to appreciate the distinction between a collective guarantee and a several guarantee than by considering the cause, wording, and effect of these two treaties, signed within a fortnight of each other. If the noble Lord (Lord Houghton) is not satisfied with my view of this treaty—namely, that the integrity and neutrality of Luxemburg rests upon the collective voice and upon the honour of all the Powers who are signataries to it, I should wish that he gives us his interpretation of its effect, and to what extent it is binding upon us. I will put a case to him. Suppose that Prussia with a view of making war on France, or France with a view of making war upon Prussia, were to enter the territory of Luxemburg—thereby, of course, violating its neutrality by the mere passage of an army, for I am not dealing with the question of occupation or possession, but of violating the neutrality of Luxemburg by passing an army through it — does the noble Lord mean to say that all the guaranteeing Powers in this Treaty of 1867, or each singly, would be bound by the obligations thrown on them by this treaty to go to war against the Power—whichever it might be—which entered Luxemburg with an army? Would Prussia desire this interpretation of the treaty? Suppose, in anticipation of any invasion by France, Prussia thought it necessary to make defensive advances into Luxemburg, would Prussia contend that all the other Powers would be thereby bound to take part with France in a war against her for the purpose of vindicating the neutrality of Luxemburg? And supposing, in a case, that Russia and Austria held aloof from the fulfilment of their portion of the guarantee in the event of any case for interference arising, does the noble Lord for a moment contend that England—situated as she is, and absolutely unable to put a sufficient military force on the Continent for preserving this neutrality—has contracted the obligation of enforcing the guarantee which she gave in common with all the other Powers of Europe? Such a construction is contrary to all the rules of interpretation, and far beyond what this country should undertake or carry through. Suppose, again, that France and Prussia, for the purpose of coming to a contest, should simultaneously violate the neutrality, in what position would the other Powers be? Should the remaining guarantors or England alone immediately begin a sort of triangular duel, to prevent the violation of the treaty by Powers who had already violated it? It is evident the conditions of the treaty must be construed with a regard to what is reasonable and practicable; and I say again that by a collective guarantee it is well understood that while in honour all the Powers who are parties to it severally engage to maintain, for their own part, a strict respect for the territory for which neutrality is guaranteed; and although, undoubtedly, any one Power has a perfect right to declare a *casus belli* if she think fit because of the violation of the guarantee, yet a single Power is not bound to take up the cudgels for all the other Powers with whom she gave a collective guarantee. I can give no further interpretation of the treaty than this—that as far as the honour of England is concerned she will be bound to respect the neutrality of Luxemburg; and I expect that all the other Powers will equally respect it; but she is not bound to take upon herself the Quixotic duty, in the case of a violation of the neutrality of Luxemburg by one of the other Powers, of interfering to prevent its violation — because we have only undertaken to guarantee it in common with all the other great Powers of Europe. The integrity of the neutrality of Luxemburg must not rest upon the force of arms of any particular one of the guaranteeing Powers; but upon the honour of all the guaranteeing Powers together, upon the general obligation taken in the face of Europe by all the signatary Powers; and if the neutrality should be violated by any one of them, then I say it is not a case of obligation, but a case of discretion with each of the other signatary Powers as to how far they should singly or collectively take upon themselves to vindicate the neutrality guaranteed.

EARL RUSSELL: My Lords, I think it

very unfortunate that in so short a time after a treaty has been signed there should be a discussion in Parliament as to its precise meaning, and as to how far England is bound by it. It is particularly unfortunate in this instance, because we know that the explanations given by the noble Lord, reported as they have been in the newspapers and otherwise, have created a very unpleasant feeling in Prussia, and that it is commonly said there that it is no use to sign a treaty with England, because England will find a means of escaping from the obligations imposed on her by it. That is a very unfortunate state of things; and I think it also very unnecessary to discuss with regard to the treaty, as the noble Earl has done, what this country is bound to do in a variety of supposed cases. It is hardly possible to suppose a case which shall be exactly what will occur, and I would much rather be contented with the arrangement made. I should have thought that the declaration on the part of all the Powers was sufficient security for the peace of Europe, and I could not be surprised that the French Ambassador should say, on the part of France, "We regard the engagement as very little more than a promise to respect the principles of neutrality as stipulated in the present treaty;"—because supposing all the powers to respect that principle of neutrality, or supposing France and Prussia to respect it, there is very little danger of interference being required. With regard to the technical interpretation of the treaty, I am inclined not to dispute that given by the noble Earl. There can be no better instance by which to interpret the treaty than that to which the noble Earl has referred. The treaty with regard to the integrity of the Ottoman Empire was, I remember, the result of discussions which took place at the time. The declaration of Russia always was that she was herself ready to respect the integrity of Turkey, and that she had no intention or wish to violate it; but that she was not inclined to agree to a stipulation that in case that integrity was violated by Persia or any other neighbouring Power to Turkey, Russia should be bound at once to interfere by force of arms to maintain the integrity of Turkey.

THE EARL OF DERBY: Will the noble Earl permit me to say that Russia's declaration was that she would not only for herself respect the integrity of Turkey,

but that she should join in a collective guarantee for that object, and that collective guarantee was drawn up in the precise terms introduced into this Treaty of 1856?

EARL RUSSELL: It was for that reason that I said I am not disposed to deny the technical obligation as stated by the noble Earl. The Government of Russia declared, no doubt, that she agreed to a collective guarantee in the form proposed, and that she did not feel bound by that guarantee to interfere by force of arms if Turkey should be attacked. But I think the noble Earl did much in the early part of his statement to do away with any doubts or fears we might before have entertained upon the subject. The noble Earl seemed to imply that because there was no individual guarantee, there was no individual obligation; but he considered that a moral obligation would rest upon this country which might have to be met. Now, with regard to this it strikes me that if there is a moral obligation, that moral obligation must entirely depend for its execution upon the circumstances which at any future time may exist. If one of those two Powers, France or Prussia, were to violate the neutrality of Luxemburg, and the Power which objected and protested against that violation were to appeal to the other Powers, I should myself consider that there would be a moral obligation upon those Powers to call upon the Power so violating the neutrality to withdraw from its position, and to enforce that appeal if necessary by resorting to arms. That appears to be the meaning of a moral obligation, and that such is the meaning is, I think, obvious from the circumstances referred to by my noble Friend (Lord Houghton). I understand that the Secretary for Foreign Affairs stated in the other House that it was with the greatest doubt, hesitation, and reluctance that he acceded to the proposal of the Prussian Government. The Prussian Government were not content with the proposal originally made, and insisted with great pertinacity on the collective guarantee, and it was upon these representations that Lord Stanley, with much hesitation, agreed to this collective guarantee. Yet for some time we have been told, this House has been told, and Europe has been told, that this article, which was demanded with so much pertinacity by one Government, and assented to with so much reluctance by another, was no more than waste paper, and that if one of these Powers violated this neutrality it was immediately at an end. If this were all, the article would be something less than the engagement respecting the neutrality of the Duchy that already existed. I expect and hope, that the article may be respected, and that the stipulations will be observed by all the parties to the treaty. I do not myself believe that either France or Prussia have any intention of violating their engagements with regard to Luxemburg; but I think it would be a very unfortunate thing if this country were to be led into a mistaken notion of the nature of the obligation incurred under the treaty, and thus be led so to act as to create the impression that we were willing to incur obligations without the intention of fulfilling them when the time arrived for our so doing. I hope that no such occasion may arise; but if it does arise, I trust that whatever may at the time be found to be the moral obligation of this country will be punctually and faithfully performed.

LORD LYVEDEN said, that the term, a "collective guarantee," appeared to be a misnomer for the treaty to which we had recently been parties. From what had been stated it did not seem to be anything more than an honourable arrangement by which each Power was bound by its own honour to respect its stipulations, but was bound in no other way. He trusted that the construction put upon the treaty by his noble Friend (Earl Russell) was not the one put upon it by the Prime Minister, and that we had not really incurred any such moral obligation as that to which his noble Friend had alluded.

VISCOUNT STRATFORD DE REDCLIFFE addressed a few observations to the House which were inaudible.

THE DUKE OF ARGYLL said, that the answer which the noble Earl (the Earl of Derby) had given some few weeks since to a Question which he had put upon the Paper referring to this subject had created some sensation. The noble Earl, in answering his Question, had not referred to what would have to be done supposing the treaty were violated by one of the contracting Powers, and the remainder called conjointly upon England to fulfil the stipulations entered into. In that case he (the Duke of Argyll) believed that the natural interpretation of the treaty would be that we were not only morally, but also legally bound to act with the other Powers. That was not the interpretation put upon it by the Government, and that was so far satisfactory, because they hoped that the present Government might never be called upon to take action in any way in consequence of the treaty; but we had no security that any future Administration would put the same interpretation upon it—they would, of course, put their own interpretation upon it, and act as circumstances required.

EARL GREY thought that these discussions were very greatly to be regretted. He could only express a hope that after the explanation which had been given by the noble Earl at the head of the Government the subject would not be pressed any further, because he felt persuaded that these constant discussions were calculated to do harm, and could only lead to difficulty and misunderstanding.

LORD DENMAN said, that guarantees seldom led to serious consequences where there was perfect good faith and good-will on all sides; but he protested against the House discussing a question of the breach of a guarantee until a breach appeared likely to take place. He was quite certain that in case of the treaty being in danger, there would be a Conference of all the parties to the treaty, and as the consequences of Austria not agreeing to a Conference had been so serious to her, and to many States of Germany, and aggression had been justified on the ground of the refusal to join one, he believed that all would prefer a Conference to disunion. He thought the guarantee perfectly safe, and believed that it was as advantageous to Holland as in the case of the Quadruple Alliance, in which the contracting parties bound themselves to "protect and guarantee all the dominions, jurisdictions, &c., which the Lords, the States-General, possessed against all persons whatsoever."

LORD HOUGHTON, in reply, thought it would be exceedingly presumptuous in him to accept the challenge of the noble Earl opposite and place his interpretation on the treaty, and the guarantee entered into under it. Much must, of course, be left to the good sense and good feeling of the Powers of Europe; but he accepted the interpretation of the noble Earl (Earl Russell) and of the noble Duke who followed him—that if the neutrality of Luxemburg was invaded by one of the signataries to the treaty, and we were called upon by the other signataries to cease amicable relations with the aggressor, we should be bound in honour to answer that appeal. That, he believed, was the sense in which, in this country and abroad, the treaty would be generally understood.

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.—QUESTION.

Earl RUSSELL: I wish to ask the noble Earl opposite, Whether he has received any further information as to the reported execution of the Emperor Maximilian, and whether it is intended to postpone the Review appointed for to-morrow?

The Earl of DERBY: When I came down to the House this evening there had not been received by the Foreign Office any authentic information with regard to the fate of the Emperor Maximilian; but from the accounts which have reached us from every quarter, I am sorry to say there is hardly any ground for the hope that that catastrophe has been avoided. I am afraid there is too much reason to suppose that the life of the Emperor Maximilian has been taken. The circumstances, to say the least of it, are so doubtful, and the probability that this crime has been committed is so great, that Her Majesty thinks that it would not be right —indeed, that it would hardly be decent— to proceed to hold the Review to-morow. Consequently Her Majesty, promptedby her own feelings, and out of respect also to the feelings of those connected by relationship with the Emperor Maximilian, has determined to postpone the Review. I trust, however, that it will not be postponed for any lengthened period. Her Majesty is well aware of the disappointment which must be felt by so many persons owing to the postponement at the last moment of a display which would have given universal gratification, and I trust that at no lengthened period the Review, which has not been abandoned, but only postponed, will be held.

PATRIOTIC FUND BILL [H.L.]

A Bill to make better Provision for the Administration of the Patriotic Fund—Was *presented* by The Earl of Longford; read 1ª. (No. 201.)

House adjourned at a quarter before Seven o'clock, till to-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 4, 1867.

MINUTES.]—Select Committee—On Standing Orders, Sir Brook Bridges *added;* Committee of Selection, Sir Brook Bridges *added.*

Public Bills—*Ordered*—Barrack Lane, Windsor (Right of Way).*

First Reading—Barrack Lane, Windsor (Right of Way)* [229].

Second Reading—Naval Stores* [215]; Chatham and Sheerness Magistrate* [211]; Lunacy (Scotland)* [219]; Recovery of Certain Debts (Scotland)* [220].

Committee—Representation of the People [79] [R.P.]; Tancred's Charities* (*re-comm.*) [207] [R.P.]; Local Government Supplemental (No. 5)* [206]; Sir John Port's Charity* (*re-comm.*) [217]; Contagious Diseases (Animals)* [196].

Report—Local Government Supplemental (No. 5)* [206]; Sir John Port's Charity* (*re-comm.*) [217]; Contagious Diseases (Animals)* [196 & 228].

Considered as amended—Uniformity Act Amendment* [68].

NAVY—CONSTITUTION OF THE BOARD OF ADMIRALTY.—QUESTION.

Mr. SEELY said, he would beg to ask the First Lord of the Admiralty, Whether his opinions coincide with those expressed by the late First Lord on the 19th February last, when he said "That the administration of a great department by a Board is a clumsy machinery," and "that the constitution of the Board of Admiralty is inconvenient and not profitable to the public service;" and, if he does agree in opinion with the late First Lord, whether he intends consulting his Colleagues as to how far in their judgment a change may be desirable?

Mr. CORRY: My experience at the Admiralty as First Lord has been very short; and I have as yet had no occasion to be sensible of any inconvenience arising from the present constitution of the Board. The subject is one which, if dealt with at all, ought to be approached with great caution, and not without grave consideration. I can only add that I have at present no intention of submitting to my Colleagues any scheme for an alteration of the constitution of the Board.

THE SLAVE TRADE ON THE NILE.

QUESTION.

Sir T. F. BUXTON said, he would beg to ask the Secretary of State for Foreign Affairs, Whether his attention has been drawn to a report of an interview between the Viceroy of Egypt and a deputation of the British and Foreign Anti-slavery Society in Paris, at which the Viceroy stated that "if he were free to act against European Slave Traders, the Slave trade would soon disappear" from the Nile; and, if he is prepared to give the requisite authority to overhaul and detain Slave traders hoisting the British flag?

LORD STANLEY said, his attention had been called to the report in question, but only by the notice of the hon. Baronet, and he had not received information on the subject through any other channel. He had always been under the impression that the continued existence of the slave trade on the Upper Nile was due, less to the inherent difficulty of putting it down, than to the tolerance—or he might perhaps say the connivance — of the subordinate local officials. As to the hon. Baronet's second Question he would say that that was one which would require a great deal of care and consideration. Of course there could be no wish in this country to protect the slave traders, whether under British or any other flag; but there might be questions of treaty or international rights involved, and also a question whether large and somewhat arbitrary powers could be intrusted to subordinate officials in an Eastern country, and at a great distance from the central Government, without some risk that those powers would not be abused for the purpose of extortion, and would thereby interfere with the legitimate operations of trade. But as that question had never, so far as he knew, been brought before the Foreign Office, he hoped the hon. Baronet would not expect him to express an opinion upon it.

SCOTLAND — GRANTON AND BURNTISLAND STEAM FERRIES.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the Vice President of the Board of Trade, Whether his attention has been called to the daily and constant overcrowding of the Steam Ferries between Granton and Burntisland; whether it is in the power of the Board of Trade to prevent the Steam Ferries from carrying more passengers than they are allowed by the Board of Trade Certificate to do; whether it is in the power of the Board of Trade to compel the North British Railway Company (who are the sole owners of the Ferry) to run proper and adequate boats for the accommodation of the public; and, if the Board of Trade has not the above power, to whom the public are to look for redress, and whether some means cannot be taken to prevent the boats being so much overcrowded?

MR. STEPHEN CAVE said, his attention had been directed to the subject by his hon. Friend, and by others on former occasions. The law was clear on the subject of passenger steamers, and was laid down in the 309th and 319th sections of the Merchant Shipping Act of 1854, which enacted that no steamer should carry passengers without a certificate from the Board of Trade. That certificate was granted on the declaration of a surveyor of the Board of Trade that the hull was in a seaworthy condition, that the boilers were sound and properly fitted with safety valves, and that there was a life buoy on board. The surveyor also stated the number of passengers that could be carried with safety; a notice of which was placed in the cabin. Beyond this the Board of Trade had no power to decide whether vessels were "proper or adequate." There were penalties under the Act for neglect of these provisions; that for overcrowding being £20, and 5*s*., or, if the fares exceeded 5*s*., then double the fare of every passenger carried in excess. Any person might set the law in motion; but as the informer did not get any of the penalty, there was no inducement to do so except in the case of persons aggrieved. It was not the duty of the Board of Trade to prosecute in such cases. It would be exceedingly expensive to send an inspector to and fro to count the passengers in these boats, and such a course would lead to unnecessary and very objectionable centralization. These ferry steamers were a kind of water omnibuses, and their regulation, like that of the traffic of the streets, might, he thought, properly be left to the local authorities, who had in some cases exerted themselves effectually. If, however, they neglected to move in the matter, then it was perfectly competent for the travelling public who went backwards and forwards in these boats every day in the week to protect themselves by putting in force the provisions he had mentioned.

INDIA—CENTRAL INDIA PRIZE MONEY.

QUESTION.

Mr. THOMAS CHAMBERS said, he would beg to ask the Secretary of State for War, When the Central India Prize Money will be distributed, and what has been the cause of the long delay of nine years?

Sir JOHN PAKINGTON said, there could be no doubt that long delays in the distribution of prize money were very vexatious, and that every possible exertion ought to be made to prevent them. In the case to which the hon. and learned Gentleman's Question referred, the delay had arisen mainly from protracted litigation, for the purpose of ascertaining who were the persons entitled to the money. But that litigation had recently been brought to a close by a judgment delivered by Dr. Lushington in the Admiralty Court; and nothing now remained to prevent the distribution except the necessary communication with the Government of India.

ESTABLISHED CHURCH IN IRELAND—THE COMMISSION.—QUESTION.

Mr. MONSELL said, he would beg to ask the Chief Secretary for Ireland, When he will be able to state the names of the Commissioners to inquire into the revenues of the Established Church in Ireland, and the instructions intended to be issued for the guidance of such Commissioners?

Lord NAAS said, his right hon. Friend would recollect that a Motion had been made the other day in the House of Lords relative to the appointment of this Commission. The subject was one that required the gravest consideration, and some time must necessarily elapse before the opinion of Government could be expressed upon the matter. No unnecessary delay would, however, take place; and as soon as any decision was arrived at Government would lay the information upon the table of the House.

Mr. MONSELL: Will the noble Lord lay the names of the Commissioners before us before the expiration of the present Session?

Lord NAAS: It is our earnest desire to do so if we possibly can.

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.—QUESTION.

Mr. SANDFORD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any information has been received upon the subject of the alleged execution of the Emperor Maximilian by Juarez; and, if there has, what course the Government proposes to take in order to mark their abhorrence of so great a crime?

Lord STANLEY: I have not received any official confirmation of the death of the ex-Emperor Maximilian. Indeed, official despatches from Mexico have of late been very few, owing to the interruption of the communications and the generally disturbed state of the country. I find, however, that the report of his death is accepted as true both at Paris and Vienna, and I fear it probably is so, although I have no certain knowledge upon the subject. If it be true it is, no doubt, a very deplorable and a very impolitic act, and not the less deplorable, nor the less impolitic, because, unhappily, acts of that kind have only been too common on both sides in the civil wars of Mexico and other Spanish American countries. As to the latter part of the Question, I think we ought at least to wait for further information before we can say what course would be proper to be taken; and, for myself, I cannot see what expression of opinion is possible upon the part of the British Government.

Colonel FRENCH said, he would beg to ask the First Lord of the Admiralty, What arrangements have been made to enable the Members of both Houses of Parliament to witness the Naval Review?

Mr. CORRY said, that two large steamers—the *Ripon* and the *Syria*—belonging to the Peninsular and Oriental Company, had been taken up by the Admiralty in order to provide accommodation for the Members of both Houses of Parliament. The *Ripon* would be placed at the disposal of Members of that House, and 450 tickets would be issued for her, which would not be transferable. The *Syria* would be at the disposal of the other House of Parliament, for which 400 tickets would be issued, and he was not aware that the slightest distinction would be made between the Members of the two Houses. How these tickets should be distributed rested with the Secretary to the Lord Chancellor and the Speaker's Secretary. Arrangements had been made for running special trains between London and Portsmouth and back, of which due notice would be given. The tickets would be issued by the Admiralty, but of course they would be paid for by the Members requiring them.

Afterwards—

CAPTAIN VIVIAN wished to know whether, in consequence of the sad announcement of the execution of the Emperor Maximilian, it was the intention of the authorities to hold the Review in Hyde Park to-morrow?

SIR JOHN PAKINGTON: The House has already been informed by my noble Friend the Secretary of State for Foreign Affairs that no official communication of the death of the Emperor Maximilian has been received at the Foreign Office. As yet, therefore, no instructions have been issued from any quarter to countermand the review.

Afterwards—

THE CHANCELLOR OF THE EXCHEQUER: Since I last addressed the Committee I have received a communication, the substance of which I am desired to make known to the House, and, seeing that the House is full, I think I could not find a more convenient opportunity for doing so. It will be in the recollection of the House that, early in the evening, the hon. and gallant Member for Truro addressed a Question to my noble Colleague the Secretary of State for Foreign Affairs, inquiring whether the Review proposed to be held to-morrow would be postponed in consequence of certain rumours which had reached this country of the occurrence of a great calamity. At the time when that question was put no official information had reached the Government on the subject. I am now desired to say that, in consequence of official information of the occurrence of that sad event having been received, it will not be in the power of Her Majesty to be present at the proposed review of her troops to-morrow, where she expected to be supported by her faithful Lords and Commons. Under these circumstances, the Review has been postponed; but only for a few days, when Her Majesty trusts that she will meet not only her troops, but also her faithful Lords and Commons. I have been desired not to lose a moment in making this announcement, which must be my excuse for having done so in a somewhat irregular manner, for which I am sure the House will pardon me. Perhaps under these circumstances it will not be thought unreasonable that a morning sitting should be held to-morrow.

SIR LAWRENCE PALK said, the question raised by the hon. Member for Maldon (Mr. Sandford) was one of such magnitude that in order to refer to it he should move the adjournment of the House. Although no official communication had yet been made to the Government of the tragedy which had been committed in Mexico, yet he believed the fact had been so well ascertained that no hon. Member in the House, nor any person out of the House, could for a moment doubt what had occurred. In the history of modern times he believed no calamity had taken place so disgraceful to the name of Christianity as the one they were now called on to consider. He begged to remind the House that at the close of a disastrous war, when all the nations of Europe were suffering from the calamities they had undergone, England had the greatest conqueror of the day in her power as a prisoner, but treated him with the greatest humanity and consideration. Was it therefore to be believed that civilization had made so little progress that an act of clemency was not to be expected at the present day? What was the Emperor Maximilian? He did not go to Mexico as a tyrant, but to establish rule and government in the country, and to heal dissensions. He failed in his undertaking, but to the last moment he was true to the trust he had taken upon him. He thought that that House, which claimed the right of speaking in the name of humanity and Christianity, ought to take the earliest opportunity of expressing, in language which could not be misunderstood, its abhorrence and disgust at this deed of cruelty, and thus set an example to other nations to express their feelings of indignation at the horror and sadness at the catastrophe which had occurred. He would take upon himself—although he was taking a great liberty in doing so—as soon as the official intelligence was formally presented to the House by the noble Lord the Secretary of State for Foreign Affairs, to ask the House to permit him to bring forward a Resolution embodying the sentiments which must animate both sides with regard to the deplorable event that had taken place.

Motion made, and Question, "That this House do now adjourn,"—(*Sir Lawrence Palk,*)—put, and *negatived.*

METROPOLIS—FALSE WEIGHTS AND MEASURES.—QUESTIONS.

Mr. GOLDSMID said, he would beg to ask the Secretary of State, for the Home Department, Whether his attention has been called to the large number of Tradesmen in the Metropolitan parishes fined for the use of false weights and measures; and, whether he does not think it desirable to legislate on the subject without waiting for the Report of the Commission on the standards at present in use?

Mr. GATHORNE HARDY said, his attention had only been called to this subject in the same way as had that of the hon. Member—through reports in the proceedings in the public press. He had no special information upon the matter. He did not know whether the hon. Member wished him to legislate for the metropolis alone. That would not, in his opinion, be either an advisable or a politic course, and as there were many places where the standards were not verified sufficiently, it would be better to wait, and to legislate once for all on the subject.

ARMY—CAMPS AT ALDERSHOT AND COLCHESTER.—QUESTION.

Colonel HAMLYN FANE said, he would beg to ask the Secretary of State for War, Whether he has now received such necessary information as will enable him to state whether he intends to carry out the recommendation of the Recruiting Commission as to retaining the troops during the winter in the huts attached to the camps of Aldershot and Colchester? He wished also to put a Question of which he had been unable to give notice—whether any information had reached the War Office that some cavalry going from Aldershot to London had found themselves at Hounslow Heath at 4 or 5 o'clock in the afternoon without rations for either man or horse. Perhaps if the right hon. Gentleman could not answer the Question now he would do so at a future day?

Sir JOHN PAKINGTON said, he was afraid it was not in his power to give so conclusive an answer to the first Question as he could wish; but he might say that, considering the large amount of public property at Aldershot, it was highly desirable that the permanent barracks at that camp should continue to be occupied during the winter. With regard to the huts it was in contemplation, as far as possible, that they should not be occupied in winter, but that the troops should, as far as practicable, be sent to other quarters. In answer to the latter Question, he could merely state that he had as yet heard nothing upon the subject.

GOVERNMENT OF CEYLON.—QUESTION.

Mr. WATKIN said, he would beg to ask the Under Secretary of State for the Colonies, Whether the attention of Government has been called to the discontent at present prevailing in Ceylon on account of the unfavourable contrast presented by the constitution and operation of the existing Government in Ceylon as compared with those of Jamaica and Trinidad, and of the West Indian Colonies generally; and to the fact that several of the most eminent non-official European residents and influential natives have formed a "League" with a view of still further pressing for some alterations in the constitution and powers of the Legislative Council by increasing the number of un-official Members and making their office elective, and by giving to the Council so constituted that freedom of control and appropriation of the public Revenue drawn alone from the Colony which has before been promised but never granted; and, whether any Memorials from the Colony or other Papers will be laid before the House?

Mr. ADDERLEY said, that a memorial had been received, signed by certain native Cingalese, requesting that Ceylon might be changed to a Crown colony, with representative institutions. The answer given to that memorial was that the request was wholly inadmissible. Ceylon was so much more Indian than colonial that the House would be unanimously of opinion that such a request could not be acceded to. He believed that a "league" had been formed in the colony in order to obtain a control over the appropriation of the revenue, by which they might spend the public money in improvements, and leave English taxpayers to pay the whole expense of the military defence of Ceylon. He had no objection to lay the memorial on the table.

IRELAND—FENIAN DRILLING IN WICKLOW.—QUESTION.

Mr. FITZWILLIAM DICK said, he would beg to ask the Chief Secretary for Ireland, whether there be any truth in the report which has appeared in some of the London and Dublin papers of a number of Fenians having been detected by the police whilst drilling, last week, in the neighbourhood of Wicklow; and, in that case, how far the drilling in question has been carried out?

LORD NAAS said, that two policemen who were strolling out at night came upon a party of men who appeared to be drilling. The night was dark, and the police heard the word of command given by one man, who was arrested. The remainder, to the number of about twenty, ran away. Two persons had since been arrested, and made amenable for this outrage. He believed that the only words of command heard by the police were "right about face; quick march!"

WALES—TREATMENT OF MERCHANT SEAMEN.—QUESTION.

COLONEL WILLIAMS said, he would beg to ask the Vice President of the Board of Trade, Whether any application has been made to his Department on the subject of the imprisonment in Beaumaris Gaol, county of Anglesey, as deserters, of seamen who have refused to go to sea on the ground of the unseaworthiness of the ships in which they entered; and, whether he intends to introduce to Parliament any measure to insure an efficient and impartial survey of ships complained of as unseaworthy?

MR. STEPHEN CAVE said, he found that a memorial from the Anglesey Justices was transmitted to the Board of Trade by the hon. and gallant Member himself so long ago as November, 1864, complaining of the burden on the county, and injustice to crews, which were caused by the justices being obliged to commit to the county gaol, as deserters, men who refused to proceed to sea on the ground of the unseaworthiness of ships, but who were unable to bring sufficient evidence of their assertion, and enclosing a Return of thirteen vessels whose crews had been so imprisoned, six of which subsequently were lost, failed to arrive, or put back in distress. The law was certainly defective in this matter. When the crew went ashore to make a complaint of the ship, the master was in such cases usually beforehand with a counter-charge of desertion. The evidence before the justices generally consisted of hard swearing on both sides. If the justices required the evidence of a surveyor, they had no power to enforce it. The master would refuse the admission to his ship of any person whom he did not himself approve, and would treat him as a trespasser. The Government proposed, therefore, to insert in the Merchant Shipping Bill now in the House of Lords a provision that, if required by either party, the justices should call upon a surveyor of the Board of Trade to survey the ship, whose Report should be received as evidence, and who should have full power to go on board and make his inspection. The hon. and gallant Member must, however, bear in mind that the seamen were not always in the right. Some made it a practice to get their advance note and leave the ship, on pretext of unseaworthiness or some similar excuse, on the first opportunity. The Board of Trade had recently before them the case of a man who had done so successfully no less than thirteen times. He was glad, however, to inform the hon. and gallant Member that a Report received from Beaumaris the day before yesterday stated that there were only ten prisoners in the gaol, not one of whom was a seafaring man.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JULY 2.]

Bill *considered* in Committee.

(In the Committee.)

New Clause (Payment of expenses of conveying voters to the poll illegal).

Question again proposed, "That the Clause be read a second time."

THE CHANCELLOR OF THE EXCHEQUER: Before we proceed further with the discussion of the clause moved the other day by the hon. Member for Oldham (Mr. Hibbert), I would take the liberty of calling the attention of the Committee generally to the position in which this measure is placed; and I will conclude with a Motion, so that any hon. Gentleman may be enabled to favour us with his opinion on the subject. Although the Government, I hope, have at no time unreasonably pressed the Committee to prosecute their labours in regard to this Bill, I am quite sure there must be a general wish on the part of the House that the other House of Parliament should have ample time afforded it for giving it their calm and deliberate consideration. Her Majesty's Government, after having taken into their consideration the opinions expressed on the subject of re-distribution by the Committee through the divisions which have occurred, think they are justified in placing this interpretation upon them—that, subject to the modified clause of the hon. Member for Liverpool (Mr. Horsfall), the feeling of the House is in favour of the general scheme for the re-distribution of seats which we have proposed. If that be the general feeling of the Committee I would suggest—and of course it is a line which we can take only with the general concurrence of the Committee—I would, I say, suggest that, after settling the clause of the hon. Member for Oldham, we should be permitted to go into the consideration of the Schedules. I do not myself anticipate that the consideration of the Schedules need be of that lengthened and laborious character which some hon. Members have supposed. But, until the Schedules are concluded, I feel that there is a vagueness as to the time when we may reach the close of our labours which is very detrimental. I think that, after discussing and settling the Schedules, we might consider — perhaps even with more advantage — the clauses which hon. Gentlemen have still on the Paper, and which they could then bring up on the Report. I invite the views of hon. Members on this suggestion. It is one, of course, which Her Majesty's Government could not think for a moment of endeavouring to force upon the Committee. Indeed, they would wish that it should meet with very general concurrence. But it is our opinion that, under all the circumstances, this is a course it would be desirable to follow. It is necessary that there should be a clear understanding that, with regard to these Schedules, we do not in any way put them on the table of the House as being so perfect and mature that the Government are of opinion they should be treated by the House as measures which we wish to have passed unmodified. The House will recollect the circumstances under which the Schedules were prepared. The period allowed the Government was very brief. It was only during the Whitsuntide recess. They were prepared with great care, from information existing in the Government offices, by persons who were competent for the duty, and who were not under the influence of party opinions in politics. But no doubt there was not necessarily that most recent local knowledge in reference to these Schedules which might have been of advantage. All I can say is that they were framed with an anxious desire to place before the House the best scheme which could be laid before them, and one which was necessary to complete the Bill. Besides our general confidence in the machinery we have proposed to the House, we have submitted to the Committee, and the Committee have adopted provisions, granting large powers to the Boundary Commissioners. It seems to me, then, that if the House generally approve, which they appear to have done, the scheme of the Government with respect to re-distribution, we may leave, with perfect confidence to the Commissioners, many points of detail which properly qualified persons will be able to urge before them with much greater advantage than could be done in Committee of the whole House. I do not therefore apprehend that any great period of time need be expended here in settling the Schedules as far as we can. It is only a provisional settlement. All of these Schedules will be immediately submitted to the consideration of men who will have every means of forming a correct opinion. Therefore, I trust the House will not require much time to consider them. Thus far as regards the county Schedules. As to those for the boroughs, it will be found that a moiety or more than a moiety of these seats are for places which are already represented; so that there will be no probability of any great question arising in respect to these boroughs. There then remain the thirteen new seats which we proposed to give to boroughs, but which must now be reduced to nine. So that we should have before us only nine new seats to consider. The four new places that to which, after due deliberation, we find that we cannot recommend, under the altered circumstances in which we are placed by the votes of the Committee, that representation should be granted, would be St. Helen's, Keighley, Luton, and Barnsley. In respect to the nine remaining places I hope there will not be found to be any important elements of controversy. The Committee will bear in mind that it will be open to the Boundary Commissioners to examine these places exactly as in the case of the counties. None of us may be prepared to relinquish our right ultimately to form a judgment on these subjects, though, generally speaking, I believe the decision of the Boundary Commissioners will give satisfaction. Under these circumstances, I beg to move that you, Sir, report Progress, in order that any hon. Gentleman who desires to do so may favour the House with his views as to whether we should proceed to the Schedules in the manner I have indicated.

Motion made, and Question proposed, "That the Chairman do now leave the Chair." —(*Mr. Chancellor of the Exchequer.*)

MR. CRAWFORD said, he had a new clause to propose, and he feared he would propose it at a disadvantage on the bringing up of the Report. It appeared to him that Members having new clauses would labour under great disadvantage if the only opportunity they were to have for discussion were to be the occasion to which he had referred. He did not know that it was the custom of the House to postpone new clauses until after the Schedules had been disposed of, but if that was to be the course he would respectfully suggest to the Committee to take the Schedules then, on the understanding that the clauses were merely postponed. The clause he had to propose was of great interest to his own constituency, and he should be sorry if by any chance it fell through. At the same time he concurred with the right hon. Gentleman in wishing to facilitate the progress of the Bill as much as possible.

MR. BRIGHT: I beg to say that I think there is a great deal of reason in the proposal which the Chancellor of the Exchequer has just submitted to the notice of the Committee. Everybody who knows anything about the question of Reform must be aware that hon. Members might go on proposing clauses for several weeks, and that points would still remain which would not be satisfactorily adjusted. I would therefore recommend the Committee to take the course which the Chancellor of the Exchequer advises us to adopt, and to proceed with that which is really the great question before us, because it is impossible for us to settle every point which may suggest itself to Members of this House. But while I say this, I feel extremely dissatisfied, and I am sure the Committee must feel dissatisfied, with the course which the Government propose to take with regard to those four seats which are to be given to the four large towns. When this question was first brought before the House by the hon. Member for Wick (Mr. Laing), it was with the distinct understanding that in order to provide six seats for six large towns, as he suggested, certain small boroughs should be disfranchised or grouped together. That proposal was negatived. After that there was much discussion among Members on both sides of the House, and I think the general feeling was that a greater number of Members ought to be allotted to the large towns. A proposal with that object was accordingly submitted to the Committee, not by a Member sitting on these Benches, but by a devoted and intelligent adherent of the Government—the hon. Member for Liverpool (Mr. Horsfall)—who was supported by his Colleague, as well as by one of the hon. Members for Leeds (Mr. Beecroft), both followers of the right hon. Gentleman opposite. The proposal was entirely in accordance with our views, and we were almost unanimous in concurring in its adoption. But then arises the question where the four seats are to be found which it was decided should be given to the four large towns in the North. The Chancellor of the Exchequer proposes to strike out of the Schedules for the purpose four towns which he has acknowledged, by the fact that he has placed them in the Schedules, to have a claim to be represented. The right hon. Gentleman has laid down this principle—I do not agree with it, but it may for this case be accepted—that you should proceed in any scheme of re-distribution on the rule of discovering places that have claims to be, and require to be, enfranchised, and that having found them you should enfranchise them, and supply them with Members by taking those Members from smaller boroughs which have not the same claims to be represented which the others possess. Having applied that rule, the right hon. Gentleman came, after careful consideration, to the conclusion that St. Helen's, in Lancashire, Keighley, in Yorkshire, Barnsley, in Yorkshire, and Luton, in Bedfordshire, ought to be enfranchised. They were precisely the class of towns he has always spoken of in his speeches, and he knows perfectly well where—in accordance with the principle he has laid down in a dozen speeches both in the present and in former Sessions—it is the duty of the House to look for those four seats, and that is in some of the small boroughs which it would be a great advantage to the country to have disfranchised. I beg to tell the Committee that, as I have repeatedly heard from Members for those extremely little boroughs, and from respectable and intelligent persons living in them, they could scarcely confer a greater benefit on any one of them than to disfranchise it. I referred the other day to a little borough—I mean Dartmouth, and to a letter which I received from one of its constituency. I was sorry I had not the letter by me at the time, because I know the hon. Member (Mr. John Hardy) who represents that constituency would like to hear what it contains. I have, however, brought it down with me this evening. A gentleman writes to me from Dartmouth, and says—

> "I am an old Reformer, and have resided in this borough more than twenty years. Let me entreat you, as a true foe to corruption, to make an effort to prevent this borough retaining its Parliamentary importance, as proposed by Mr. Disraeli. The place is as corrupt as Totnes, and if Government would send a commission on inquiry here, startling confirmatory facts could be elicited."

As to those facts I can say nothing, except what I am told in this letter—

> "The first time Mr. Hardy was returned here about £6,000 was spent in bribery."

I hope this is an exaggeration. For ought I know it might have been spent as much by one side as by the other.

> "And the last time he was returned, although unopposed, it is well known that it was by means most disgraceful. At one election here one man was paid £300 for his vote about three o'clock in the afternoon, and tenants have been evicted by the score for daring to vote as they wished. The boundary of the borough extends in one direction nearly four miles; no extension or rectification will ever cure our corruption. In conclusion, let me ask the Liberal party in the House of Commons to use every effort to extinguish this place as a separate borough."

["Name, name."] The name of the writer is W. H. Rees. I asked him if he had any objection to my making this use of his letter, and he said, "No; I am perfectly satisfied that what I have stated is true, and if a Commission of Inquiry should be issued I have no doubt they would find that the facts of the case are as I have represented them to be." I feel no pleasure in bringing forward a matter of this nature, which may give pain to any hon. Member in this House; but I recollect having had my attention repeatedly drawn to those small boroughs by those by whom they were represented. One Gentleman, who occupied the position of Lord Mayor of London, and who, not very long since, sat for a small borough in the West, once said to me, "If you go to my borough and hold a meeting there, I believe you may get an almost unanimous vote in favour of its disfranchisement." There is no doubt that the truly respectable and thoughtful, the moral and religious men of both parties, concur in the opinion that throughout the whole of those small boroughs, where, I undertake to say, there can be no freedom of election, the representation as it now exists is demoralizing to the towns, and injurious to them in every respect. If that be true—and I think I have never said anything more true in this House—I cannot help expressing my regret that the Chancellor of the Exchequer has not taken the four Members to be given to the large towns from those small boroughs which it would be a blessing to disfranchise, leaving Keighley, St. Helen's, Barnsley, and Luton to be represented in the House of Commons as he originally proposed. I do not wish to bring forward any proposal which might be calculated to retard the progress of this Bill. I am as anxious as any other hon. Member that no obstacles should be thrown in its way. For that reason I have abstained from moving any Amendments in it. It is true I made a suggestion with respect to the Clause relating to the Boundary Commission, but it consisted of only a few words. I abstained from proposing Amendments myself, and have addressed the Committee only with respect to Amendments proposed by others. But if the Chancellor of the Exchequer would deal with those four seats as I have suggested, he would give great satisfaction to the country. So far as I am concerned, I have discountenanced and discouraged any attempt at interposing Amendments of any kind which would be likely to delay the progress of this measure, and even though the right hon. Gentleman should not think fit to take the course I have indicated I shall be glad to see the Bill pushed forward as rapidly as the rules and practice of the House will permit.

Mr. JOHN HARDY said, he regretted that the hon. Member for Birmingham had chosen to become a receptacle for—he would not say anonymous letters. He was sure, however, that the Committee would not attach much importance to the document which the hon. Gentleman had just read, when they learnt that it emanated from one of those pure-minded Nonconformists who qualified for Totnes, and was a voter for that immaculate borough. It appeared from the evidence which had been taken before the Totnes Committee, that that gentleman and some others went down to Totnes once a year and cut a cabbage to show that they had property within its limits. He did not mean to contend that Dartmouth was immaculate, but something like those occurrences to which the hon. Gentleman referred would, he apprehended, take place in Birmingham if a Conservative went down there and tried to get returned. If the hon. Gentleman presented himself at Dartmouth, and sought to turn him out, he would have to bribe like a Whig. It was the old story —the bad habits of boroughs—large and small. Bribery was not confined to the small boroughs. Witness the queer proceedings at Huddersfield and Wakefield. In comparison with those places Dartmouth deserved to have another Member, and he would recommend the Committee —following the advice given by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) with regard to Sheffield—to try that mode of dealing with it rather than to take away the Member it had. It was true a man had received £300, a man who had supported the Conservative party for years. At the last moment his principles gave way before the tremendous prize offered him. But the temptation came from the Whig side. Since he (Mr. Hardy) had become connected with the borough there had, in those respects, been a great improvement. The gentleman whose name the hon. Member had mentioned had come to him, and had expressed himself very handsomely, and they sat down to luncheon together in the most friendly manner possible. They said, "We wont oppose you because, if a Liberal comes forward, he must bribe." The fact was, the Conservative feeling was strong in the borough, and if the Whigs thought fit to go there with the view of turning out the Conservative Member, they could not expect to do that without having recourse to bribery. They it was who caused all the mischief, and if they would only let the borough alone there would be no bribery. The things to which the hon. Gentleman alluded might happen anywhere. Our first parents fell, being tempted by a gentleman who was, he believed, described by a great authority as the first Whig. Dartmouth was a seaport, and was once a much more important place than Birmingham. He could not understand how any good Liberal could find it in his heart to disfranchise a borough which was so near Torbay, the spot on which our great deliverer (William III.) landed.

COLONEL GILPIN said, he hoped to be allowed shortly to state why Luton, which was in the county he represented, had claims to be represented. Luton was one of the largest and most improving towns in the South of England. The population at the last Census was upwards of 17,000, and at the present time it was 20,000. The rental was £59,475 annually. Upwards of £1,500,000 was turned over annually in the straw trade, which extended over all the surrounding district. There was one firm alone in Luton which turned over £160,000 annually, and which had establishments in London, New York, and Florence. Within the last six years thirty-six new streets had been built. The rateable value of the property in 1859 was £45,520. It was now £69,479. Lord Russell, in the Aberdeen Government, proposed to give a third Member to Bedfordshire on account of the various interests to be represented. The case had not been fairly stated by the Chancellor of the Exchequer, though of course he did not charge the right hon. Gentleman with intentional unfairness. When an Act of Parliament was being drawn up which should regulate the Representation of the People, care should be taken that all the great interests of the country should be fairly included. It was not fair that these boroughs should be deprived of the prospect of representation in order that certain large towns should have three Members. But did the right hon. Gentleman think that the large towns would be satisfied with this concession? He wished the Chancellor of the Exchequer had adhered to the decision of the House of Commons. If he had done so he would have shown proper consideration to those Gentlemen who had done much to sacrifice their own opinions in order to give the Government a constant support. He hoped that even yet the right hon. Gentleman might be induced to re-consider his decision.

MR. J. B. SMITH said, he approved of the withdrawal of the claims of the smaller boroughs in favour of the more eminent claims of Manchester, Liverpool, Leeds, and Birmingham. He thought that this sealed the contract between the friends of this Bill and the Chancellor of the Exchequer, and he had no doubt that by this course the passing of the Bill would be much expedited. He would therefore postpone for the present moving the new clause of which he had given notice.

MR. BAXTER said, he was no more favourable to the proposal to take away the four Members from the towns which had been promised them than the hon. Member for Birmingham, and he could not concur with the Chancellor of the Exchequer in believing that the Government scheme of re-distribution would be a permanent settlement, or satisfactory to the country. At the same time he was so desirous for the passing of this great measure of enfranchisement that he most cordially concurred in the present suggestion of the Chancellor of the Exchequer. It was now the 4th of July, and it would be impossible, if they went on discussing all the new clauses standing on the paper, that the Bill could be sent up to the House of Lords in reasonable time.

VISCOUNT CRANBORNE said, the course which the Member for Stockport (Mr. J. B. Smith) had adopted in his own case was the rule of action that Members should follow. Any one who felt that the point which he wished to bring under the notice of the Committee was not of that extreme importance that made it necessary to press it forward, would do wisely to abstain from proposing it, but he deprecated any interference with the ordinary forms adopted by the House. There never was a case in which it was necessary that all the forms provided to ensure mature deliberation should be so carefully observed as with regard to this Bill. He was not speaking merely in reference to its great importance, altering, as it did, the Constitution of the country; but the origin of the Bill, the way it had been altered from day to day and from week to week, the way in which it had sprung suddenly into new features in the brain of the Chancellor of the Exchequer as each emergency arose, warned them of the danger of being hustled into the assent of principles of which they did not approve. Let them look at the way the proceeding suggested would bear upon the feelings of the populations with whom they were proposing to deal. They had a sudden proposal to deprive of the enfranchisement intended for them four boroughs which had been nursing themselves with the expectation of what was in store for them, and surely it was only common justice to allow a sufficient interval to pass to enable them to express an opinion upon the harsh measure now proposed in their case. Some of the Amendments on the paper might be fairly withdrawn, but there were others which must be decided before the Schedule could be discussed. Amongst these were the proposal of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) to give another Member to his division of the county, the proposals to give two Members to certain boroughs, and the two proposals with respect to cumulative voting. The usual course in these cases was to act by consent, trusting to the patriotism of the House of Commons. Those who felt that their proposals might fairly be deferred to another Session would not stand in the way of the Government; while those who felt that their proposals ought to be decided upon before the Committee went into the Schedules would no doubt persist. The House would be guilty of great temerity if they set aside the forms which had been so long established, and thrust Members violently out of the way that they might hasten by a few days the passing of this Bill.

MR. GLADSTONE said, it must be remembered that they were dealing with a measure of gigantic proportions. He was very desirous to put forward that measure, and a great disposition had been shown on both sides of the House to put it forward. Considering the importance, the variety, and the necessary complexity of the subjects they had discussed, he thought the measure had proceeded with remarkable rapidity. If it were true that they were far advanced in the Session, the position in which they were was due to any or all causes rather than a disinclination on the part of the House to make reasonable progress with the measure. What had happened? They had gone into Committee, they had discussed the clauses of the Bill, they had disposed of all the new clauses proposed by the Government, and some three or four proposed by private Members, and they were asked now to waive the right of proposing clauses in Committee. He quite agreed that any clause that could be proposed as an Amendment upon the Schedule ought to be so proposed, instead of being brought forward as a separate clause. He had proposed no Motion since April relating to the Bill, being content to take his part in supporting or opposing the Amendments of others. The only proposal he had to make was as to the representation of South Lancashire, and he took that course because he certainly did not feel, considering the political relations between them, that he could apply to either of his Colleagues to undertake the duty. He must altogether abandon that proposal unless he brought it forward before they came to the Schedules. The Schedule relating to counties was to be filled up by counties and divisions of counties to be represented by two Members each. As his proposal was that two divisions of South Lancashire should be represented by three Members each, it would be inconsistent with that Schedule. He had every desire to assist the progress of the Bill, but he was sorry to say he could not possibly accede to this proposal.

SIR THOMAS LLOYD said, that as one of the Members in charge of a clause, he rose to state, in consequence of what fell from the Chancellor of the Exchequer, that his desire was to consult the convenience of the House. As he had from the commencement of the Session done all in his power to facilitate the passing of the Bill, he would act consistently to the end, and in deference to the House postpone his clause, which he considered a very important one, until the Report.

MR. LOWE said, had the Government brought in early this Session a Bill founded on clear and broad principles, and stuck to it during the Session, they might then with great justice have appealed to hon. Gentlemen at this advanced period of the Session, and requested them to withdraw their own private views in order to facilitate the passing of the measure. It is not our fault that we have not made greater progress. The Government began with Resolutions, of which most of us appear to have forgotten every thing except the two leading ones—the double vote and giving no one class a predominance over the rest. That was not much in a direction to help us to make up our minds. The next thing was to bring forward a £6 rating qualification. That also was abandoned. That did not help us to make up our minds. Then they took a fortnight or three weeks to make a new Bill which they brought forward. That Bill had no difficulty in being read a second time and getting into Committee. But since it has been in Committee it has exhibited one uninterrupted course of Protean change, so that hardly anything originally proposed is left. That, Sir, is not all. The Bill contained a new, violent, startling, and, as I think, a revolutionary change, reducing the borough franchise to household suffrage. That was sheltered by a number of safeguards, every one of which has been abandoned. After their abandonment private Members, as for instance the hon. Member for Stroud (Mr. Poulett Scrope) and others tried to introduce safeguards, all of which have been rejected. We have now the principle of household suffrage pure and simple. Everything that tended to mitigate or moderate it has been swept away. Hon. Gentlemen opposite scarcely realize the state of affairs. They go on looking at the matter as if they could now treat the measure in the same way as they could before this enormous stride was made. The truth is that this measure must be brought in some degree into conformity with the state to which we have reduced the borough franchise. Never was there an occasion when there was more necessity to consider the state of things which this borough franchise has created, and to introduce measures calculated to mitigate the extreme violence and rashness of the change. We have to bring the rest of the measure into accordance with what has been already done. The measure was framed under very different circumstances to those which now exist, and before we dismiss it so changed from our hands, it is our duty to consider how we are to bring the re-distribution part of the measure into harmony with what has been already done, and if we can at this eleventh hour mitigate the fearful consequences some of us apprehend. The Government erred not only in the frequent changes they had proposed, they also erred in the order of their business. The first step for the Government to take, and which they probably would have taken had they known what they meant to do, would have been to issue the Boundary Commission to ascertain the population and the constituency within certain boundaries. The next step should have been to re-distribute upon the data so obtained. The third step should have been, having before them the electoral chart of the country, to settle what franchises should be given. The Government have inverted that procedure, they have turned things upside down; and now we are told we must forego every chance of amending the Bill, in order to extricate the Government from its difficulties. My own Motion is for cumulative voting — the last and only chance, a very small one, I fear, of mitigating the violent change the Conservative Government have brought upon the country. I will be no party to abandon the country to this strange and violent measure forced upon us, as I say, by hon. Gentlemen opposite, without making one effort to introduce something to mitigate its evils. I should feel that I was deserting my duty if I did so. ["No, no!"] If hon. Gentlemen say "No," I ask them to consider what the hon. Member for Birmingham (Mr. Bright) has declared. Does he approve this change? After agitating the country the whole autumn for household suffrage, now it is given, how does he like it? I am reminded of the landlord in Lord Lytton's *Pelham*, who gives a bad dinner to a number of persons who are not very good judges of gastronomy, and who, being called, is forced to drink up a glass of his own wine, which nearly kills him. I say it is Gentlemen opposite that are to blame for the present state of things, not we; not even those who would have been well content, delighted to have a fixed fast line of £5 rating. You have forced this on us, and thrown on us the duty of Conservatives, which you yourselves have abandoned. I accept it as far as I am myself concerned, and I will not abandon cumulative voting till I have taken the opinion of the Committee upon it.

MR. LAING said, he was content to adopt the course suggested by the Government with regard to the Amendment for grouping boroughs of which he had given notice. He did so, not because he had changed his opinion, but because the proposal of the Government was the best that could be made with reference to the situation in which they stood. They had now arrived at a period when it was impossible to doubt a very little additional delay would seriously imperil the fate of the measure. He did not pretend that the Bill was all he could desire, or that it arrived at the end proposed in the way he could most have wished. But taking things as they stood, as practical men, they ought not to run the risk of throwing the measure over the Session. That would not be a Conservative solution, but a national calamity. On these grounds, he was perfectly satisfied to adopt the course suggested by the Chancellor of the Exchequer, and hold over his Motion respecting grouping till the Report, so that the Committee might proceed without further delay to the Schedules.

LORD FREDERICK CAVENDISH said, he must complain very strongly of the manner in which the Government had dealt with one of the most prosperous and thriving districts in the country—the West Riding of Yorkshire. The Bill had disfranchised two boroughs in that division, Ripon and Knaresborough, but it had promised to give a Member to both Keighley and Barnsley. That promise was now withdrawn, and while the division lost two Members it received in turn only one—namely, the additional Member for Leeds. He repeated that that was not the manner in which a district of such great and growing wealth and importance should be treated. The step had been taken by the Government without giving the division he represented any time to consider the position in which it was placed.

MR. CLAY said, he had a suggestion on the Paper, which would not take many minutes to discuss; but he would consult the convenience of the Government as to the time when it should be brought forward. He thought the Bill much too valuable to be imperilled by the delay occasioned by discussions which did not directly affect it. The difficulty had arisen from attempting to unite re-distribution with an extension of the franchise. He should still be content to pass this excellent Bill in relation to the franchise only, and to leave the re-distribution of seats till next Session. He was afraid that if they passed this scheme of re-distribution they would have inequalities almost as great as those which they were seeking to remove.

MR. BOUVERIE: Assuming, as the right hon. Gentleman the Chancellor of the Exchequer has a right to do, that the great body of the House are really anxious to pass the measure this Session, the proposal he has made is a fair and reasonable one. Of course, we all understand the view taken by the right hon. Gentleman the Member for Calne. He objects altogether to proceed with the Bill. He has avowed his hostility to anything of the kind, and wishes to delay the measure altogether. [Mr. LOWE: Not in the least.] Then he must have altered his opinions. He has, at all events, denounced Reform from both sides of the House. The proposal of the Government is not an unreasonable one, nor is it unusual. It can, however, only be carried out by consent of those who have Amendments on the Paper. Out of the thirty-eight or forty clauses that might be moved before we come to the Schedules, thirty-two might as well be moved on the Report as at a previous stage. Then there are proposals for giving additional Members to particular places. If we are to take these all in succession we may remain here till the end of September. But the common sense of the House is against taking all the Motions at present in detail, and the right hon. Gentleman has given expression to the feeling of the House by the proposal he has made. Therefore I would suggest as to these clauses, that hon. Members would exercise a wise discretion were they to tell their constituents when they see them again, that they found the temper of the House was not favourable to these clauses, and that there was no chance of their receiving any substantial support; therefore they did not think it desirable to press them. If that class of clauses be withdrawn, the other new clauses could be discussed just as well upon the bringing up of the Report as in Committee. I do not see why even the very important proposal of the right hon. Gentleman the Member for Calne in favour of cumulative voting cannot be discussed by the House when Mr. Speaker is in the Chair, when doubtless the right hon. Gentleman will be able to make out a case in its favour. I think that the proposal of the right hon. Gentleman the Chancellor of the Exchequer is a reasonable one; that its acceptance will really facilitate the despatch of public business, and enable us to look forward to a period not very long deferred when we may get out of Committee.

MR. HENRY BEAUMONT said, he had been greatly surprised on coming down to the House that evening to find that the right hon. Gentleman the Chancellor of the Exchequer had proposed to take the promised seat from Barnsley. Against that proposal he begged, on behalf of Yorkshire, to tender his humble protest. They should rather consider the claims to additional seats of such places as Doncaster and Rotherham.

MR. J. HARDY said, he would remind the hon. Gentleman (Mr. Beaumont) that three or four years ago an additional Member was given to the West Riding of Yorkshire.

MR. W. E. FORSTER said, that the Chancellor of the Exchequer having announced his scheme for obtaining the four additional seats required, had proposed that the Committee should at once proceed to the consideration of the Schedules. Were the Committee to agree to these Schedules they would be bound to accept the plan of the right hon. Gentleman for taking the four Members from the four boroughs he had named. It was never thought that Members would not be given to three of the largest of the new boroughs, and time should be given to the inhabitants of those towns to have their opinion on the subject represented to the House. He considered that even the best proposal of the right hon. Gentleman for the re-distribution of seats was unsatisfactory, and he was not very sorry that it should be more so, because they might then expect that they should re-open the question in a year or two. He appealed to the Committee and to the right hon. Gentleman himself whether such a proposal was a reasonable one. The right hon. Gentleman had not given them satisfactory information as to the area of the boroughs from which he proposed to take the four seats. In the absence of such information it was unreasonable to ask those who felt an interest in those places to assent at once to a proposal to deprive them of the promised representation. To adopt the course indicated by the right hon. Gentleman would be to betray the Committee to commit themselves to a decision that night, which would be a most undesirable proceeding.

MR. WHITE said, that without some such concession on the part of private Members as was asked for by the right hon. Gentleman, it was obvious the Bill could not be passed within a reasonable time. Holding that opinion, he was prepared to accept the right hon. Gentleman's proposal. They could not expect that this contemptible scheme of re-distribution would be satisfactory. They should not, however, interfere with the good work in which they were engaged, but hasten this Bill through, and it would be the first study of the new reformed Parliament to correct what was objectionable. Then they would have a re-distribution of seats that would make the Members of the House of Commons really the representatives of the people of England.

THE CHANCELLOR OF THE EXCHEQUER: The Government felt it to be their duty to submit the proposal I have made to the Committee, and I have no reason to be dissatisfied with the manner in which the Committee have received that proposal. I trust to the good sense and to the good temper of the Committee to settle this question. I have not the slightest wish to interfere in any way with the rights of private Members. I do not think that the general feeling of the Committee is at all opposed to the suggestion I threw out. Of course, if the proposal be adopted, such a line of conduct must be pursued as will be consistent with the rights of hon. Members who may have Motions to bring forward which will really affect the re-distribution of seats, and which are not merely introduced for show or at the request of constituents. It is not necessary that the Committee should come to a decision on the subject to-night. I hope, however, that hon. Members will think over the proposal, and will give it their best consideration. I will not now discuss the points which have been raised by various hon. Gentlemen, as there will be ample opportunity for Her Majesty's Government to meet any objections to the course they propose on a future occasion. I will merely advert to what has fallen from the noble Lord (Lord Frederick Cavendish), from which it would appear that he thinks I have treated the county of York with great injustice in withholding seats from certain boroughs. In reply to his remarks, I can only say that out of the forty-five seats at our disposal, we have given five to that county, four of which have been given to that division of the county which he represents. I beg to withdraw the Motion to report Progress.

Motion, by leave, *withdrawn.*

MR. LABOUCHERE said, he supported the clause. The case of counties, no doubt, was different from that of boroughs, and there were difficulties in the way of applying the clause to them. But he could not see that it was a very great tax upon persons if once in three or four years they were to pay half-a-crown for a vehicle or walk half-a-dozen miles to record their votes. If there were no questions of bribery involved in the matter he would be still opposed to the present system on the ground of excessive expense. He had heard of £230,000 being spent in fourteen county elections, and in one case in Yorkshire the sum had been as high as £27,000. Generally a county contest cost between £4,000 and £5,000. The consequence of this was that not the best men but the richest men were put forward. He was opposed to the present system upon the ground that the expenses of elections ought to be lessened, so as to allow men of moderate means to give the benefit of their experience to the country. The candidate who engaged a number of carriages to bring his voters to the poll, no doubt offered an incentive to the persons from whom he obtained them to vote for their employer. But in boroughs no persons could think of bringing voters to the poll in carriages except out-voters. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) said the other night that it would be looked upon as a very dirty thing if they were to throw upon other people the expenses which are now borne by the candidates, and the right hon. Member for South Lancashire (Mr. Gladstone) replied that if such were public opinion, the sooner it was changed the better. He did not believe that such was public opinion. Public opinion, on the contrary, was this — that if that House were to continue the present system they would be legislating in their own favour. The greater number of Members were rich men, and people believed that they wished to keep that House a close borough. He would vote, therefore, not only for the present proposal, but for any other which would tend to diminish the present excessive expenditure.

LORD HENLEY said, he was sorry it had been determined not to apply this clause to counties, though it was the more obvious and easier course. There were no doubt difficulties in the way, but he regretted the Committee quitting this subject without making any attempt to diminish county election expenses. There were two classes of county electors who would scarcely be able to give their votes at all if they were not allowed to be conveyed to the poll—namely, those who resided outside the counties, and those who, though living within them, were at a considerable distance from a polling booth. He was aware of an instance in which one-sixth of the constituency lived outside the county. When non-residents or voters at a distance were canvassed, one of the first questions they asked was, whether they would have their travelling expenses paid? He admitted the difficulty, but he did not see the remedy. Voting papers might have provided a remedy. When the subject of voting papers was under discussion he had come down to the House greatly divided in mind as to how he should vote. He was inclined to think now that they had come to a wrong decision on that matter. At all events, if they did not adopt voting papers to the full extent, they ought to have adopted them so far as related to non-resident voters who had to be brought from distances, a thing which mainly contributed to swell the election expenses. He remembered an instance in which the travelling expenses of voters had amounted to nearly £1 a-head, which was about one-half or two-fifths of the whole expenses. Another remedy was additional polling places. If hon. Gentlemen would only put their shoulders to the wheel in this matter they might make one of the most useful reforms. A circle with a radius of six miles would probably contain twenty parishes, or one of seven miles twenty-five or thirty parishes, and he thought there might be a polling place for every such district. He would not leave the matter to the discretion of Quarter Sessions — a tribunal excellent for many purposes and composed of high-minded English gentlemen ; but being composed almost entirely of landowners it could not be expected to show perfect impartiality in political questions. It might be thought that to keep up the expense of elections had a Conservative tendency, as keeping the representation in the hands of men of large fortunes; but even if this were the case, how many ancient and wealthy families had been ruined by the expenses of contested elections? The present state of things was eminently unsatisfactory. With regard to the Bill itself, he looked upon it as in some degree imperilled by the length of time its discussion had occupied, and he fully concurred with the Chancellor of the Exchequer, that the clauses to which he had referred should be postponed until after the Schedules. He hoped that election expenditure would —if not now —on a future occasion be placed on a satisfactory footing.

MR. ALGERNON EGERTON said, he objected to the application of the clause to counties where the poor could not walk the long distances. The result would be to give an advantage to rich landowners, whose tenants would be glad to oblige them by lending all their carts and conveyances. But he would join cordially in support of any proposal for diminishing the expense of elections, which was felt as a heavy tax, and often an intolerable one.

SIR ROBERT COLLIER said, that though prepared on principle to apply the clause universally, he hoped the hon. Member for Oldham would consent, as a compromise, to exclude counties and the four boroughs which were in the nature of counties. The expense of conveyances in some boroughs were the heaviest items of charge, and had virtually revived the property qualification. It being in some boroughs looked upon as almost un-English to walk to the poll, the expense, with an enlarged franchise, would be alarming. Possibly, the greatest danger of all was the increasing power of the purse, which appeared to be far too great already. It was said that the voters would be practically disfranchised if the proposal were carried, but the candidate was not to enfranchise the voter with his money. If the vote was regarded as a favour conferred upon the candidate, it led directly to the conclusion that the candidate was to pay the voter's rates, and whatever was necessary to enable him to vote, and this principle led directly to bribery. A vote was not a favour conferred upon the candidate — at least it ought not to be so. Were that the right view to take of it the voter was logically entitled to recompense for loss of time, and, in fact, to sell his vote on the best terms he could. The Constitution did not so regard it. It was no part of the duty of the candidate to enable a man to vote, and on the principle of selection the man who would take the trouble to go to the poll, and would not mind incurring a little expense for conveyance, showed his fitness for the franchise. If, as had been said by the hon. Member for Rochester, nobody in his borough would walk half a mile to vote for him—[Mr. WYKEHAM MARTIN said he had not made such a remark]—it only showed that persons of that kind were not entitled to the suffrage.

MR. SANDFORD said, he could not understand why, if there was a principle involved, the hon. and learned Gentleman could consent to exempt counties and four boroughs from its application. [Sir ROBERT COLLIER said he had only suggested this as a compromise.] But was he prepared to conduct legislation upon the principle of compromising his opinions? A more immoral doctrine he had never heard. He protested against counties and boroughs being treated differently. Many of his constituents were seven miles distant from the poll, and it would be unfair to prohibit the conveyance of these while allowing more well-to-do persons to be brought up from a distance to county elections. As for the multiplication of polling-places proposed by the noble Lord (Lord Henley) this would involve greater expense to the candidate than the conveyance of voters. The observations of the Chancellor of the Exchequer were specially applicable to this clause, which was more fit for a Select Committee.

Mr. PAULL said, it was impossible for the Committee to entertain such a variety of proposals as were submitted to them. He understood that the Select Committee on Corrupt Practices were in favour of an alteration of the present law permitting the conveyance of voters to the poll. The hon. Gentleman's object would not be accomplished by the clause proposed, and it was only a waste of time to discuss it. What was to prevent a candidate from hiring carriages for himself? Any gentleman might hire two or three carriages for himself and his private friends, and cause them to enter the town where they were wanted. He would then be using his own carriages, and the law could not touch him. But a jobmaster would come under penalties if he allowed a candidate to hire his carriages for the purposes of his election. He recommended the withdrawal of the clause, with a view to the discussion of the subject at a future period.

Mr. P. WYKEHAM MARTIN said, he must deny that he had stated on a former occasion that no constituent of his would go half a mile to vote for him. He thought in many cases the clause would prove a great hardship to many working men whose time was very limited. He hoped, therefore, the Committee would negative it. It was very hard in large boroughs, on men who had only an hour for dinner, to have to walk a distance to the poll. In the case of the dockyards the men got a half-holiday.

Mr. HENLEY said, he thought it would be wise to withdraw this clause. If the Committee settled all the questions relating to enfranchisement and the distribution of seats, these two great matters would be quite as much as they could get through this year. Such matters as were provided for by the clause would be much better considered next February or March than now. Whatever was done now would be done in a hurried manner. Next year, too, they would know more about boundaries, and how the voters were distributed in the boroughs, and they would have an opportunity of seeing whether any fresh machinery would be introduced with respect to polling-places and voting papers.

He had not hitherto seen his way clearly as to the machinery for voting papers, but he had seen a proposal which obviated some of the objections, and under which every man would, at some period before voting, give in his assertion that he meant to vote by polling-papers. There would thus be no difficulty about his identity.

Mr. GLADSTONE said, that the suggestion that the Committee should confine itself to matters relating either to enfranchisement or disfranchisement came rather late. It would be a left-handed way of saving time, because the Committee had been recently dealing with other matters relating to expenses at elections. They had refused to pass a clause charging certain expenses on the county, and they had also had before them the proposal of the hon. Member for Sunderland. With respect to boroughs, the difficulties in carrying out this clause were altogether very slight, and as a great practical good was now within their grasp he hoped they would affirm the clause.

Mr. HENLEY said, that the suggestion he had thrown out was in answer to the appeal made to the Committee by the Chancellor of the Exchequer.

Mr. HUNT said, that one reason why the clause ought to be postponed was that it was mixed up with the expenses chargeable for polling-places. If the conveyance of voters to the poll was declared illegal, the authorities would in all probability increase the number of polling-places very considerably. It would then be necessary to employ an increased number of sheriffs' deputies and polling clerks. The proper charge for such services required to be regulated by law. At present the candidate paid everything that was demanded of him, and if there were to be an enormous number of polling-places, what might be termed the legitimate expenses of candidates would be considerably increased. To pass the present clause would only be dealing with one branch of the subject. He thought that the whole matter ought to be referred to a Select Committee, and he hoped, therefore, that the suggestion of his right hon. Friend behind him (Mr. Henley) would be adopted.

Mr. M'LAREN said, that there would be considerable force in the observations of the Secretary to the Treasury if the evil with which they were proposing to deal would not be intensified by the present Bill. But the Bill would at least double the number of electors in every borough, and in the large towns they would be increased three-fold. If the present system of conveying electors to the poll were to be continued, it followed that the expenses of conveying them would be proportionately increased two or three-fold. Their object should be not so much to cut down expenses as to prevent them from increasing three-fold in amount. From a Return printed last year of the expense of conveying voters to the poll, he found that in Liverpool one set of candidates paid £592 for conveying voters to the poll, and the others £431, making a total of £1,023. By this Bill the voters in Liverpool would be increased more than three-fold. Why, therefore, should the candidates be expected in future to pay £3,000 for the conveyance of voters to the poll? In Manchester £738 was paid for a similar purpose. The burgh of Glasgow contained only seven square miles, and there were about fifteen polling-places at the elections there, so that there could be no real difficulty in any man walking to the poll. Yet the expenses of conveyance at Glasgow amounted to £686. Again, Edinburgh contained only six square miles, and it had thirteen polling-places, or one in each ward. Yet the amount paid for conveyance there was £330, which was equally divided between the two parties, showing that no advantage could be derived by the one party over the other. It was therefore plain that conveyances for voters to the poll were not needed, but it would appear as if voters expected to be waited on by candidates and driven by them to the poll. Such a system from its great expense must increase the difficulty of getting candidates to come forward for great constituencies, unless they had some other object in view than the good of the people.

SIR T. F. BUXTON said, there was another evil really worth consideration, namely, the great risk which attached to candidates in having some illegality done at a distance in their name without having the power of checking it. An agent might be authorised to procure a ticket and conveyance for a voter who resided a great distance from the polling-place, but from some neglect might give the voter money to buy his own ticket or provide his conveyance, instead of doing it for him. The result of such a proceeding was that the candidate unknowingly was guilty of a crime under the bribery laws, and he was pointed out as a person who had recourse to corrupt and illegal practices.

MR. CLAY said, this clause ought to be carried, because the sooner they adopted it the better would they be able to deal with the whole matter.

MR. CORRANCE said, he concurred in the views which had been expressed on the other side of the House on this clause, and concurred in the sentiment of regret that had been expressed that it should not be extended to counties. He confessed he could only see one practical difficulty against it, namely, that they must either increase the polling-places or permit the use of voting papers. If they increased the polling-places the town voters would have an advantage over those residing in the rural parts. That might be obviated by having a polling-place in every parish, the votes to be taken by the overseer, who should be a sworn agent for the purpose. By that means they would also get rid of much drunkenness and many disgraceful scenes.

SIR HARRY VERNEY said, the expenses of the polling-places ought not to be paid by the candidates, but by the borough or county. The appointment of polling-places in every parish and the officers to take the votes might be left to the Lord-lieutenant; and he rather concurred in the suggestion that the agency of some parish officer should be employed.

MR. HIBBERT said he felt bound to avail himself of that opportunity of pressing his proposal. He was prepared to restrict the clause to boroughs and also to except from it the four boroughs mentioned in the discussion the other evening, although he should have been glad to see them all included. He hoped that if the clause were passed some hon. Member would bring up a clause which would meet the difficulties respecting counties.

Question put, "That the Clause be read a second time."

The Committee *divided*:—Ayes 166; Noes 101: Majority 65.

MR. HIBBERT said, he would move to insert, after the word "election," in the second line, the words, "for any borough except Aylesbury, Cricklade, East Retford, and New Shoreham," thereby restricting the clause prohibiting the payment of expenses for the conveyance of voters to boroughs, with the exception of the four named.

MR. VANCE said, he thought it unfair to confine the exception to these four boroughs, as it was well known there were many others where non-resident voters would have to be conveyed considerable distances to the poll. He could not understand why in these instances voters were to be excluded from benefits which it was proposed to confer in practically analogous cases. Every borough had its own specialty, and in many there were poor men periodically absent under varying circumstances, who would be virtually disfranchised if they could not be conveyed to the poll. He thought that to allow a man's railway fare to be paid where there was no possibility of a corrupt motive being involved in the payment was a very reasonable proposal. The present law operated very fairly, was uniform in boroughs and counties, and ought not to be altered as proposed.

General FORESTER said, he moved that Much Wenlock be included with the other four boroughs named, as its area was very extensive.

Sir HARRY VERNEY said, he did not think that voters in counties, if purity of election was to be fully maintained, ought to have their expenses of going to the poll paid any more than voters in boroughs.

Sir ROBERT COLLIER said, that the whole matter had in 1860 been referred to the Committee which sat on the subject of Corrupt Practices at Elections, and that they made a report with which the present clause was in conformity. The four boroughs of East Retford, Cricklade, Shoreham and Aylesbury were excepted in the Reform Bill of 1832, because they were connected with the counties, and he would recommend the Committee not to except any more.

Mr. Alderman SALOMONS said, that the area of the borough of Greenwich was very extensive. The case might be met by providing that no voter should be carried to the poll who resided within one mile of the polling place.

Viscount GALWAY said, that the House had distinctly come to an agreement that these four boroughs should be exempted, and be considered as counties, and he hoped that no others would be added.

Mr. SANDFORD said, he should support the Motion of his right hon. and gallant Friend the Member for Wenlock, and should afterwards move that Maldon be included in the clause, as it covered an area of over forty square miles.

Mr. Vance

Lord JOHN MANNERS said, it seemed likely that they would go on discussing the merits of every borough. Very good reasons had been shown for omitting counties from the operation of the clause, and it would be only fair to include in the exception those boroughs in which freeholders would have a right to vote. He suggested that a schedule of places to be excluded should be prepared, and then the matter might be settled when the Schedule came on for discussion.

Mr. BERESFORD HOPE wished to point out the inconsistent position in which the House had placed itself by refusing a few nights before, to accept the Motion of the hon. and gallant Member for Lichfield (Colonel Dyott), giving borough freeholders their votes in the boroughs. This Amendment had brought them face to face with the sham counties—as the hon. Member for Westminster had so truly called them elsewhere — made up as they were of constituencies of purely borough voters of the lowest class. He objected to leave being given to take persons to the poll, of a condition of life in which conveyance in a market cart would be as thorough bribery as the pretentious cab is to the town voter. As to what conveyance to the poll meant, and what it was in the metropolitan boroughs, he referred them to the revelations of former debates. All he would now say was that conveyance meant bribing two men by one and the same process, the fellow who drove on the box, and the fellow who went inside.

Mr. HIBBERT said, he regretted that he could not agree to the suggestions that Wenlock and Maldon should be included in the clause. To do so would be only to invite the assertion of similar claims on behalf of other places. With respect to the other four boroughs, it was certainly understood the other evening that they were to be excepted from the general rule.

General FORESTER moved that the borough of Much Wenlock be added to the Amendment.

Mr. MONTAGU CHAMBERS said, he did not agree in the propriety of making any exceptions whatever. The principle was a good one, and applicable to all cases. Candidates ought not to be put to any expense with regard to the conveyance of voters.

Motion *negatived.*

Mr. WARNER said, it would be more convenient if the words of the clause relating to "any borough" were first decided, and that the Committee should afterwards divide on the question as to the exception of any particular boroughs.

MR. SANDFORD said, he hoped the House would not assent to exceptional legislation of this kind. He should oppose the introduction of the Amendment, being of opinion that the same justice should be meted out to counties as to boroughs.

MR. VANCE said, that counties of cities had as much claim to be excluded as ordinary counties. It would be hard, for instance, if the freeholders of Dublin city could not be carried to the poll as well as the freeholders of Dublin county. He therefore begged to add to the Amendment the words, "and those boroughs which are counties of cities or towns."

MR. LOCKE said, that the alteration proposed would include the cities of London and York, and many other densely populated places.

MR. VANCE said, he withdrew his Amendment, and would re-introduce the subject on the Report.

Motion for the addition of the words *agreed to.*

MR. HUNT said, he proposed to omit from the clause the words, "or for any person to receive from the candidate or anyone on his behalf," and also the words, "and any such person shall receive." If those words were retained, the clause might act harshly on innocent persons. A man going with a voter to the poll might hire a cab and then refuse to pay the driver, on the ground that the payment would be illegal.

MR. HIBBERT said, he had no objection to omit the words in question.

COLONEL FRENCH said, he objected to the omission of the proposed words.

THE CHANCELLOR OF THE EXCHEQUER said that if the Committee did not agree to the proposed Amendment, they would pass a clause which they might not have cause to look back upon with any satisfaction. Under the clause as it stood, a cabman who accepted payment for taking a voter to the poll would be guilty of a misdemeanour.

MR. M'LAREN said, he thought the Committee ought to agree to the Amendment, for if they did not, it would be very doubtful whether a cabman ought to take his fare from a man who might himself hire a cab to take him to the poll.

MR. LOWE said, he agreed with the Chancellor of the Exchequer, that if the proposed words were not omitted, a cabman for taking a voter to the poll would be guilty of a misdemeanour.

Words *omitted.*

MR. DARBY GRIFFITH said, he moved to add after the words, "such payment shall be deemed to be an illegal payment" the words "and to be bribery." The clause would not be effectual for the object in view without the addition of the words he proposed. In all probability future Election Committees, acting upon a precedent established some years ago by a Committee on a Huddersfield election, might declare the Acts mentioned in the clause to be simply illegal, without declaring them to amount to bribery. They decided that it was illegal, and that the Member could be prosecuted, but that it did not affect his seat.

MR. HIBBERT said, he could not adopt the suggestion of the hon. Gentleman.

MR. VANCE said, that he had been a member of the Committee alluded to, and the opinion of the Committee was that the payments were of a very trivial character, in no way affecting the votes of the persons who had received the sum. He thought that there was no necessity for a change in the clause, which was already sufficiently stringent.

Amendment, by leave, *withdrawn.*

Clause *added* to the Bill.

MR. GOLDSMID said, he proposed enabling the votes for the London University to be recorded by means of voting papers, to which he understood the Chancellor of the Exchequer had no objection. He moved that after Clause 28 the following words be inserted:—

"All the provisions of an Act passed in the 24th and 25th years of Her present Majesty, entitled 'An Act to provide that votes at elections for the Universities may be recorded by means of voting papers.'"

It was unnecessary that he should say anything in support of the clause, to which the Government had assented.

Clause *added* to the Bill.

MR. POWELL moved the latter part of the clause he had given notice of—

"And when by virtue conferred by any other Act of Parliament, polling-places or polling districts are altered or additional polling-places or districts are created, it shall not be necessary that any declaration, direction, or order made, as therein provided, be published in *The London Gazette*, but the same shall be advertised by the justices in such manner as they shall think fit, and when so advertised shall have the same force and effect as if the same had been published in *The London Gazette.*

Clause *agreed to.*

Sir THOMAS LLOYD said, that he thought the measure a most excellent one, and such a clause as this was necessary to give it a beneficent operation. His last election had cost £4,000, principally for public-houses, and with the increase of Members which the present Bill contemplated, the next, without some change in the law, would probably reach ten times that amount.

New Clause—

(No committee of any candidate to meet in any hotel, &c.) That no committee of any candidate for the representation of any County, City, or Borough shall sit, or hold any meeting, or transact any business as such committee in any hotel, tavern, public-house, or other building licensed or used for the sale or consumption of wine, spirits, beer, porter, or other intoxicating liquors; and if any such candidate shall, by himself or his agents, cause or permit any breach of this enactment, the Return of such candidate shall be null and void, and no expenses incurred by such committee in any such hotel, tavern, public-house, or other building shall be recoverable by law from such committee or any of the members thereof, or from any such candidate, or his agent, or any person whomsoever,—(*Sir Thomas Lloyd,*)

—*brought up*, and read the first and second time.

Mr. BERESFORD HOPE was very glad that the hon. Baronet had had the courage to bring forward this clause, and he invited the House, all of whom must in their heart wish well to it, to adopt it unanimously, and thus save those, who would otherwise feel it their duty to vote for it, from the certain vengeance of the corrupt classes against whose practices it was directed. This system of holding committees at public-houses was one of the evils of electioneering, to which he hoped no one who had gone through the trial could look back without shame. The way the system had worked in boroughs was this. No one could open a beer-house except in a £10 house. As far as the interests of the excise and of a certain varnish of decency went, this limitation was well enough; but it produced a state of things of which the authors of the regulation had not thought. By this law every publican was of necessity a voter under the old franchise; and so in boroughs where rents ran low the publicans ruled the election. They held the key of the borough as really as the key of their own cellars, and they insisted on having committees jovial and plenty to meet at their houses. The candidate, however strongly he might disapprove of this system, was absolutely powerless in the hands of his supporters. He was the last man to be consulted on such arrangements. His managers found the publicans holding back, and so without telling him anything they would open an indefinite number of committee rooms. Sometimes there were several in one street; occasionally the same publican divided his house between the rival candidates. Of course no business was really done at those places. What was intended was to buy the publican by the liquor he sold, and the sots who went there by the liquor they drunk. Non-electors, too (now they would be electors), had to be conciliated, and so-called committees of these people were created to booze at the candidate's cost. It was, in plain language, bribery, and bribery of the worst description. Bribery by the absolute payment of hard cash was after all the most respectable form, for some of it might find its way to the innocent wife and family, while the bribes served out in public-houses only went down the throats of the drunkards. If the House would adopt this clause, he was certain that the moral sense of England would support it, and that all the army of tapsters would not be able to scratch it out of the statute book.

Mr. CRAWFORD said, he believed that the clause would be received with satisfaction by the House generally. But he could not help thinking that in some cities or boroughs—and among them the City of London—it would be very difficult to find places for the meeting of committees if the public-houses were not to be open to them. He believed, however, that the clause would contribute to remove a great opprobrium from our electoral system, and he was therefore prepared to support it. He supported the clause because it would relieve voters from the temptation of keeping back their votes until the last moment. At present those who got most houses stood the best chance of gaining the election. Hotel-keepers and other proprietors of refreshment houses and beer-houses kept back their votes to the last moment, and the removal of temptation to persons of that kind to have their houses taken at an exorbitant rate would remove a great opprobrium from their election proceedings.

MR. POWELL said, he could not concur in the allegation that corruption was universal at borough elections, many of which were perfectly pure. Corruption was the exception, not the rule. As for the proposed clause, it would be simply impossible to obey it. In many towns rooms for meetings could be obtained nowhere except in public-houses, and how were they to define "committee?" If a few of the candidate's friends were to meet him at an hotel and discuss the chance of election, all the penalties of the clause would fall upon him, and the same would happen if he engaged in a friendly chat on the subject while taking refreshment.

SIR HARRY VERNEY said, that not a single pound had been spent in any questionable way in the borough of Buckingham during the time he had represented it, since 1832. Little boroughs were not all corrupt. Some of them were as pure as any constituency in the kingdom. With regard to the clause, he approved it, but it needed some amendment.

MR. WYLD said, that an opening for bribery was created by allowing candidates to hire private residences as well as by permitting them to hire public-houses. He trusted that if that clause were carried, a further provision would be adopted to the effect, that no person who had let his house for the use of a committee should be entitled to vote at the election.

MR. BRADY said, that no person whose house was let at an election ought to be allowed to give a vote. Those who had houses to let were the people who fomented contests.

MR. AYRTON said, he regretted that when engaged in passing a Reform Bill they should undertake the task of correcting corrupt practices. Already they had passed two clauses to prevent bribery. The first would lead to corruption. The second was unintelligible, and would lead to confusion. The clause under discussion was better than the others. Whether they could protect the candidate from being called on to pay he did not know. It was very difficult to amend a clause of this description in Committee so as to render it intelligible. The best course to adopt would be for the hon. Baronet to withdraw the clause, and to bring in another to be added to the Bill for the Prevention of Corrupt Practices at Elections, which would shortly be before the House. He was entirely in favour of the principle of the clause. He had, perhaps, been the only person who had carried a clause having a similar object.

MR. M'LAREN said, he considered that the clause as it stood was sufficient without any amendment; but if an Amendment should be necessary it could be moved on the bringing up of the Report. No one could call in question the object of it. The Chancellor of the Exchequer was anxious to economize time, and therefore he hoped that the Committee would at once divide, so as to prevent a recurrence of what took place the other night, when, in consequence of a fresh brigade of Members entering the House at a late hour, a clause had to be re-discussed from the commencement.

THE CHANCELLOR OF THE EXCHEQUER: The hon. Member for Edinburgh is quite right in saying that I am anxious to economize time as much as possible. But there is another point that should be kept in view, and that is that the Committee should not be called upon to pass clauses with a precipitation they may afterwards regret. This is a very important subject, and as far as the object of the clause is concerned I am entirely in its favour, and I suppose that every hon. Member in this House would be exceedingly glad if such an object could be secured. If we could strike at indirect corruption through the lavish expenditure caused at elections by tavern expenses we should be glad, but we should not strike without wounding, and I am afraid if we pass clauses of this kind without well considering them we shall regret our haste. The hon. Baronet who brought this question forward appears to have been in very unfortunate circumstances, because, while he represents a constituency of 3,000 electors, the travelling expenses at his election amounted to £4,000. [Sir THOMAS LLOYD: They only amounted to £500.] And quite enough too. We ought, in the first place, to consider whether or not the clause does not propose to go a little too far. I am sorry that the hon. Baronet did not confine the operation of the clause to boroughs, as was done in a somewhat analogous case the other day, because I can conceive that in boroughs it might be possible to avoid meeting at public-houses, whereas all who represent large districts know from experience that it is impossible to get the required accommodation except at an hotel or public-house. It would be scarcely just to pass a clause which should compel the committees at an election to stand all day in the market-place and get wet through because they were not allowed to go to places where they could obtain shelter. It further strikes me that the clause as now worded would not so much put an end to meetings at a public-house, as it would put an end to committees. If you pass a severe clause of this kind by which committees are forbidden to obtain proper accommodation, what will happen? You will doubtless prevent committees from going to public-houses, but there will be sympathizing friends who will go to public-houses, and who will do all the work of committees. It, therefore, appears to me that the clause will not accomplish the desired object, while it will lead to public inconvenience. Let me remind the Committee that time is valuable. This is the twenty-second day upon which the Committee has sat. The labours of the Committee are directed to the improvement of the representation of the people in Parliament. This subject resolves itself into two great branches—first, the re-distribution of seats, and secondly, an enlargement of the franchise. The subject of the clause now before us can scarcely be classed under either of these heads. I therefore am disposed to agree with the suggestion of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) that this clause might be brought up with propriety upon the Report or upon the third reading of the Bill which is about to come down to us from the Select Committee appointed to inquire into Corrupt Practices at Elections, when we should have an opportunity of considering the whole question and of passing such a clause as would touch the evil sought to be eradicated. I have no objection to the principle of the clause, which is to protect candidates from unnecessary expense.

Sir THOMAS LLOYD said, that, as every one was in favour of the clause, he should persist in his Motion.

Mr. CRAWFORD said, he would suggest that some words should be introduced which should make it plain that it was an authorised committee.

The Clause was read a second time.

On Motion, "That the Clause be added to the Bill,"

Mr. HENLEY said, that for the safety of candidates the wording of the first line of the clause should be altered by the insertion of the words "appointed by any candidate" after the word "committee," and leaving out the word "of." As the clause was now worded any two or three fellows might go into a public-house and call themselves committeemen, and so imperil the seat of the candidate whom they professed to represent. He begged to move the Amendment he had suggested.

Amendment proposed, in line 1, to leave out the first word "of," in order to insert the words "appointed by."—(*Mr. Henley.*)

Sir THOMAS LLOYD said, he did not object.

Mr. M'LAREN said, that committees were never appointed by candidates, and therefore the right hon. Gentleman's Amendment would be of no effect.

Mr. Serjeant GASELEE said, that the Amendment of the right hon. Gentleman would destroy the effect of the clause. He wished that hon. Gentlemen would either not introduce clauses, or, if they did so, would have the pluck to stand by them.

Mr. GOLDNEY said, he wished to know what there was in the clause to prevent persons from constituting themselves committeemen. The hon. Member for Birmingham had, some time since, proved to demonstration that a stranger had been guilty of bribery in order to secure the return of a particular candidate, who was totally unknown to him, in order to win a bet. Was a candidate to lose his election because some persons who chose to represent him went into a public-house? The clause should be postponed until the Bill for the Prevention of Corrupt Practices at Elections came before the House.

Mr. J. STUART MILL said, he thought the object which the hon. Gentleman who had just sat down, as well as that the right hon. Gentleman the Member for Oxfordshire had in view, was a legitimate one. He would suggest that if some such word as "sanction" were substituted for the word "permit," the clause would be made efficient for its purpose.

Mr. LOWE said, that the objection which the right hon. Gentleman the Member for Oxfordshire had urged would not apply. The first part of the clause prohibited the practices referred to, and rendered liable the persons implicated; but it did not touch the candidate at all. It was only by the second part that the candidate was touched, because by that portion he was made responsible if the practices were engaged in with his permission.

It was not necessary that committees should be appointed by the candidate; they might be appointed anyhow.

MR. THOMAS HUGHES said, that the case referred to by the hon. Member for Chippenham was not in point. It was not decided that bribery had been committed by the committee, though particular individuals had been guilty of corrupt practices. The insertion of the words would defeat the object of the clause.

SIR MATTHEW RIDLEY said, he concurred in the objections urged by the right hon. Gentleman the Member for Oxfordshire.

MR. GRANT said, he thought it impossible as the clause stood not to make the candidate responsible for acts committed by over-zealous partizans over whom he had no control.

MR. LAING said, he would suggest the insertion of the words, "the expenses of which are paid by any candidate," as calculated to obviate all the objections urged against the clause. He had known instances of committees which met in public-houses and paid their own expenses.

MR. HENLEY said, that what rendered it necessary to make the wording of the clause exact, was the fearful penalties imposed. It was not that the expenses incurred were not to be paid, but the election was to be absolutely void. Therefore it was necessary that the acts of these committees should not make any candidate responsible, unless he was aware that they were acting for him. What was meant by an agent? Anybody who had experience of Election Committees knew how wide was the construction put upon the word "agent." Again, what was meant by the word "permit?" These were questions on which their elections would hang. These acts might be done in bad faith. The practices referred to in the clause might be indulged in by persons who constituted themselves into a committee simply with the view of unseating the Member whose cause they were pretending to serve.

MR. GOLDNEY said, that no man would be safe from the effects of the clause.

MR. GATHORNE HARDY said, he could not see why committees should be prohibited from meeting in the only places which in certain cases such as, for instance, where the members of the committee were very numerous, would be at their service. If such places were corruptly used the law already provided a remedy. An hotel might be the only place where a room sufficiently large could be obtained; but if they met at an hotel and paid their own expenses, the election would be null and void. If rooms were corruptly used, there was a sufficient remedy by the action of an Election Committee. If the remedy was not now applied, it was simply owing to the fact that the Committees did not look sufficiently about them. It appeared to be a most proposterous proposal to render candidates liable for practices over which they oftentimes could not possibly have any control.

MR. J. STUART MILL said, he would remind the right hon. Gentleman that the first part of the clause did not touch the candidate. He also proposed to insert the word "sanction" instead of "permit," as to the second part.

COLONEL HOGG said, he wanted to know how many persons constituted a committee; whether a meeting of two or three persons to talk over the business of the election would come within the meaning of the clause?

MR. ESMONDE said, that if the clause passed, a committee would mean what it meant at present.

MAJOR WINDSOR PARKER said, he hoped the Committee would pause before passing a clause which would occasion great inconvenience to a large portion of those who represented the agricultural interest of England.

Question put, "That the word 'of' stand part of the Clause."

The Committee *divided:* — Ayes 60; Noes 74: Majority 14.

MR. GOLDSMID said, he had never heard of a committee appointed by a candidate.

MR. MONK moved to insert after the words "appointed by" the words "or on behalf of."

MR. HENLEY said, that his motive in moving the Amendment which had been adopted was, that the candidate should not be responsible for the acts of men about whom he knew nothing.

MR. BRADY said, it was a well-known fact that a certain number of gentlemen, in every county or borough, constituted themselves a committee, and that the candidate took good care not to repudiate their acts. If they incurred expenses in that position, the candidate always refunded them; and therefore it was absolutely necessary that the committee and the candidate should be regarded as one, if the House really meant to secure purity of election.

Sir ROBERT COLLIER said, that the clause in its present form was reduced to a nullity, and unless some words were added, it would be better to withdraw it altogether.

Viscount CRANBORNE said, he thought that the latter part of the clause was too stringent, and that instead of the election being declared null and void, a slight penalty would be quite sufficient. He appealed to the hon. and learned Member for Richmond, as a legal authority, whether a committee appointed for or acting on behalf of a candidate would be held in law to be appointed by him. [Sir Roundell Palmer: No, I think not.] Then the alteration as it stands at present makes the clause nonsense.

Mr. J. GOLDSMID said, that, if that alteration were allowed to stand, all that a candidate would have to do when any question touching his committee was raised would be to say, "I never appointed it."

Mr. GOLDNEY said, that the Amendment now proposed (Mr. Monk's) would restore the clause to its original bad form. As so many varieties of view prevailed on the subject, he would ask hon. Gentlemen what a committee was, and how it was constituted?

Mr. MONTAGU CHAMBERS said, he had no idea that any Member of the House who had stood a contest could have found it necessary to ask what an Election Committee was. He had thought it was perfectly clear. At an election there were certain persons who established committees of the candidates, and appointed the places where they should meet, the committee of A. B. meeting at the Crown and Sceptre, and that of C. D. at the Pig and Whistle. An ingenious effort, or rather a disingenuous effort, had been made here not to understand what was plain to the understanding of every Member on both sides of the House. It was very desirable that they should prevent election committees from meeting at public-houses; and rooms that did not belong to public-houses could always be obtained for the purpose of holding committees. In the borough which he represented (Devonport) the principle of having no committees sitting in public-houses was tried on both sides, Liberal and Conservative. It succeeded, and he hoped it might find general adoption throughout the kingdom.

Mr. HENLEY said, he thought the hon. and learned Gentleman (Mr. Montagu Chambers) had justified the Amendment which he (Mr. Henley) proposed. He should like to hear any hon. Member point out an instance in which an Election Committee did not make the Member responsible for the acts of his central committee. If elections were to be made void on account of committee meetings in public-houses, care must be taken that the candidates should not be compromised by self-constituted committees set up during the turmoil of an election, and acting, perhaps *malâ fide*, with the express object of unseating the Member. He was willing to accept any words that would prevent this.

Mr. CANDLISH said, he admitted that there was no clearer head or more judicial intellect in the House than that of the right hon. Gentleman (Mr. Henley); but if the words of the right hon. Gentleman were not qualified by some others, the clause could not be violated except by a committee specially appointed by the candidate, and would, therefore, be entirely inoperative. It would only be necessary for the candidate to appoint no committee, and then his committees might meet where they pleased.

Viscount CRANBORNE said, he thought there could be no difficulty in finding words which would meet the requirements of the right hon. Gentleman. He suggested the addition of the words "acting on behalf and with the consent of" any candidate.

Sir ROUNDELL PALMER said, the candidates accepted the agency of committees, but did not appoint them. Unless they were supplemented by other words, the words introduced would reduce the clause to a dead letter.

Mr. HENLEY said, he would ask his hon. and learned Friend to remember how far the law of agency had been strained by election committees. Unless a candidate almost spat in a man's face during an election the committee would infer agency. That was, perhaps, an extreme illustration, but it was necessary to bear the point in mind. He was willing to accept the words suggested by the noble Lord.

The ATTORNEY GENERAL said, it would be extremely hard to enact that a candidate should lose his seat in the case provided for by the clause. The discussion had shown that the first part of the clause was likely to prove very inconvenient, especially if it was followed by the second. He trusted that if the one was adopted the other would be abandoned. It would be very difficult to deal with this clause without dealing with that which followed. The words "no committee appointed by or with the consent of any candidate" might meet the case.

MR. J. STUART MILL said, that in that case the committee might be appointed first and sanctioned afterwards.

MR. WARNER said, he would suggest that the return of the candidate should not be made void because his committee met at a public-house, but only if he paid the expenses connected with that meeting.

MR. CLAY said, that if a candidate did not appoint committees his agent did, and *qui facit per alium facit per se*. He trusted the hon. Member for Gloucester would withdraw the words "or on behalf of." In his own case the non-electors formed themselves into a committee entirely without his knowledge to promote his election. That committee did not cost him sixpence, and they rendered him good service; but they, no doubt, met in a public-house, as the only convenient place. He preferred the words proposed by the noble Lord (Viscount Cranborne), although he was not quite sure they were the best.

MR. MONK said, he should be happy to accept the Amendment of the noble Lord.

Amendment to insert the words "or on behalf of," put, and *negatived.*

Amendment to insert the words "appointed by," *withdrawn.*

VISCOUNT CRANBORNE moved to insert the words "acting on behalf and with the consent of."

Amendment *agreed to.*

MR. J. STUART MILL said, he would suggest the addition of the words "recognized by."

VISCOUNT CRANBORNE said, he thought that this would be a matter for the Gentlemen of the long robe.

SIR ROBERT COLLIER said the words were not required.

THE CHANCELLOR OF THE EXCHEQUER said, he understood the hon. Baronet was willing to leave out the word "county," so as to make the clause applicable only to elections for cities and boroughs.

SIR THOMAS LLOYD assented.

The word "county" *struck out.*

MR. POWELL said, he moved that the words "or transact any business" should be struck out. These were words of an ensnaring character and might imperil many seats.

SIR ROUNDELL PALMER said, he thought that the words were rather in the nature of surplusage, but if they were omitted there might be room for evasion. If the principle of the clause was sound, these words might do good, and could do no harm.

MR. KNATCHBULL - HUGESSEN said, that a candidate might be staying at an hotel, and a deputation of the electors might come to him to ask if he would coalesce with some other candidate. It might be held that this was transacting business under the clause.

MR. CLAY said, he agreed with the Amendment. He had given up canvassing; but he stayed at an hotel during an election, and he was glad to see any electors who might call upon him. Under the clause, it might be said that this was transacting business.

Amendment *agreed to.*

MR. POWELL said, he moved the omission of the words "or any house used for the sale or consumption of wine." Under these words, every dwelling-house in England, except such as was occupied by teetotallers, would be prevented from having an election committee sitting in it.

Words *omitted.*

MR. WARNER moved the omission of the words—

"And if any such candidate shall by himself or his agents cause or permit any breach of this enactment, the return of such candidate shall be null and void."

Motion *agreed to.*

Amendment proposed,

At the end of the clause, to add the words "and if any candidate shall, by himself or his agents, at any time before, during, or after such Election, pay any money on account of any such expenses, the return of such candidate shall be null and void."—(*Mr. Warner.*)

MR. CANDLISH said, he would request the hon. Member for Norwich to postpone his Amendment in order to enable him to move the insertion after the word "building" of the words "licensed as aforesaid." Without those words the clause would prohibit the payment of any money for the use of any building whatever.

Mr. WARNER said, he acceded to the hon. Member for Sunderland's request.

The ATTORNEY GENERAL said, he thought the words "licensed as aforesaid," were unnecessary.

Amendment *negatived.*

Mr. WARNER moved his addition to the clause.

Question put, "That those words be there added."

The Committee *divided:*—Ayes 103; Noes 159: Majority 56.

On Question, "That the Clause be added to the Bill,"

Mr. HUNT said, he doubted whether, as it stood, it would carry out the wishes of the Committee, which were to prevent the colourable hiring of rooms at public-houses as committee-rooms, when the real object was to supply drink. No doubt the object was a desirable one, but the clause would not attain it. The objection was not to the taking of rooms for the transaction of public business, but to the supplying of drink. During the election for the University of Oxford he had occasion to meet the committee of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) and found it at the Ship Hotel. No liquor or refreshment was supplied, and the transaction of business was what workmen would call a "dry job." There were present there the right hon. Gentleman the Member for South Lancashire, and the hon. Member who was then in the Chair. The clause would meet such a case as that; but it was not intended to apply to the transaction of such business, but to the display of placards announcing that a committee sat where none did, when the fact was that men were entertained at the candidate's expense. Did the clause meet such a case? It said that no committee of the candidate should sit or hold any meeting at an hotel or tavern. That did not prevent the hiring of a room at an hotel or tavern; it only forbade sitting or holding a meeting there. You might take any number of rooms in a public-house, but as long as you did not sit there, or hold meetings there, you evaded this clause. This was hardly what the Committee desired to do. It would be better that a committee should sit or meet than that rooms should be hired for drinking purposes. As it stood the clause was wholly useless.

Mr. LAING said, that the result of the long discussion had been to convince him, even before the last division, that the clause was an unwise one; and since the concluding words had been rejected, the matter did not admit of question. As the clause stood it would infringe the liberty of the subject; for it would say that a committee of independent electors, willing to pay their own expenses, should not be allowed to hold a meeting. By far the best way of determining the discussion was to reject the clause.

Mr. BERESFORD HOPE said, that the exhibiting of a placard, intimating that a committee-room was in a public-house, constituted a sitting or meeting, and the presumption was that those who entered the room did so for the transaction of business. The clause could hardly be inoperative while it made an offence a misdemeanour, and the adoption of it would be the first step towards rousing public opinion against a bad practice.

Mr. LOCKE said, he had contested Southwark and had never spent a penny in giving either voters or committee men drink, nor had he known it to be done by any of the candidates who had opposed him. If public-houses were to be entirely closed to candidates, it would entail great inconvenience and expense. In every town there were a number of public-houses, most of which had rooms to let for the purpose of committee-rooms, and competition kept down the prices. But if all the public-houses were shut against a candidate, where was he, especially if he was a stranger, to get rooms? He thought their only course was to reject the clause.

Mr. CLAY said, the clause was a bad one, and it was wholly impossible to carry it out.

Mr. BRADY said, he knew the borough of Southwark very well, and his opinion was that the candidate who took the most public-houses succeeded in the election.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 98; Noes 197: Majority 99.

Sir HARRY VERNEY said, he had to move a clause to enable public officers connected with the collection of the revenue to vote at elections. The exclusion of those men from the franchise was invidious. There was no good ground for making any distinction between collectors of the revenue and other portions of Her Majesty's subjects with respect to the exercise of the elective franchise. The collectors of the revenue bore a high character, and their qualifications enabled them to form a much better opinion than other persons of public measures and the merits of candidates. They executed the trust reposed in them in a most praiseworthy manner, whether the political party that appointed them was in office or not. He therefore moved—

> "That no person shall by reason of his being in anywise employed in the charging, collecting, receiving, levying, or managing of any of Her Majesty's revenues, be incapable of giving his vote for the election of any person to serve in Parliament, or be subject to any disability or penalty for giving any such vote, or endeavouring to persuade any elector to give, or to dissuade any elector from giving, his vote for the election of any person to serve in Parliament."

THE CHANCELLOR OF THE EXCHEQUER said, he trusted that the Committee would hesitate before they acceded to the Motion. The persons to whom the hon. Baronet had referred were, as a body, distinguished by the effective manner in which they performed their duties, and by the energy with which they fulfilled a public trust. He should therefore be sorry to see anything like political intrigue or subserviency mixed up with the discharge of those duties. It was part of their duty to inform against those who violated the law, and it would be a great disadvantage if these persons were to be subject even to the imputation of exercising their influence for political purposes. As they were at present placed in regard to the franchise, those imputations did not exist. He wished also to recall to the recollection of the Committee a Treasury Minute which had been placed on the table, in which Minute the Government had drawn attention to the impropriety and impolicy of officers in those branches of the public service to which the hon. Baronet had referred exercising their influence over Members of Parliament, in order to urge upon the Government an increase of their salaries. Even at the present time an influence was exerted which must be viewed with great jealousy, and every Government, however constituted, would find it necessary to use its utmost influence in resisting overtures of that description. But what would be the position of affairs if these persons—so numerous a body—were invested with the franchise? From the experience of what was passing in this city—and he wished merely to intimate, and not to dwell upon the circumstance—he was led to believe the result would be that there would be an organization illegitimately to increase the remuneration they received for their services —a remuneration which, in his opinion, was based upon a just estimate. He did not deny that the class referred to by the hon. Baronet were entirely worthy of public confidence; but the conferring the franchise upon them would place them in a new position, and would introduce into public life new influences which might not be of a beneficial character. He trusted therefore that the Committee would not sanction the proposal of the hon. Baronet.

MR. GLADSTONE said, he was sure that the right hon. Gentleman and Her Majesty's Government had been animated by a sense of public duty in adopting the course which had been just announced. Whether the right hon. Gentleman was right or wrong in his opinions, he thought the Committee would feel any secondary motive that could have acted upon his mind would undoubtedly lead him to act in the sense of enfranchisement, and to give way to the *primâ facie* case which they must admit existed. He thought the right hon. Gentleman was perfectly right in endeavouring to dissuade the Committee from deciding by a single vote a subject of this magnitude and complexity, and from changing the system which had hitherto prevailed in our revenue departments. Circumstances existed of so grave and peculiar a character that it was quite impossible to deal satisfactorily with this matter on a Motion like that brought forward by his hon. Friend. He must, however, guard himself against seeming to censure his hon. Friend, because he fully admitted that, when a very large measure of enfranchisement was proposed, there must be a tendency in the minds of all to abolish any remaining incapacities. But what was the case? One-eighth part of the revenue of every Gentleman in that House was not in reality his own, although it appeared to be so. It belonged to the Government, and the Government obtained it by channels very diversified and very difficult to keep in a state of purity and efficiency. The officers of the Revenue Department were the persons charged with this peculiar trust. They were appointed generally, and, indeed, almost universally, at the instance of Members of Parliament. If a system should be ever established, as possibly it might, under which the appointments should be completely detached from political influence, this question might be discussed much more freely than it could be at the present moment. At the commencement of their career nearly all these officers were under a kind of political influence; they then only attained the first step of the ladder, and their subsequent advancement was a matter of infinite delicacy and difficulty. It was difficult even now to exclude political influences from promotion in the Revenue Departments. It was due to the late Lord Liverpool to say that he first placed promotion in the hands of the permanent heads of the departments. But still there was always a tendency to bring in that element; and it was a matter for most careful consideration whether, if this power was restored, they would be assured of the services of those gentlemen being performed with efficiency. It was impossible to exaggerate the importance of the question. He was willing to admit that there might be a public inquiry. Their practice was not consistent, inasmuch as they excluded from the franchise at present a large proportion of those engaged in the public service. They excluded from the franchise the officers of the Post Office, as well as those engaged in the Inland Revenue, while those who were in the West-end Departments were not, he believed, disqualified. They did not withhold the franchise from persons employed in the offices of the Secretary of State, the Admiralty, and the War Department. It was worthy of grave consideration whether the disqualification which prevailed in respect to the Revenue Departments should be extended to those other officers, or whether such disqualifications might not be altogether dispensed with. There was another element to take into view—namely, the services of those who were not directly under the control of the Government, such as the police. He hoped, after what had fallen from the right hon. Gentleman, that his hon. Friend would be content with the discussion, and refrain from pressing the subject at present on the Committee. If the question were to be raised at all, it ought to be after a careful preliminary inquiry. In that inquiry they might obtain evidence from the heads of departments as to what effect the enfranchisement of those gentlemen would have upon the departments and their duties. Those departments were at present in a state of high efficiency. He did not believe there was a country on the face of the globe where the collection of such an enormous revenue was as honestly and ably performed as in this kingdom. He did not want the Committee to say that no such change as that proposed should be introduced; but only to observe that, before they approached that question, there ought to be a full inquiry into all the facts of the case.

Mr. MONK said, he regretted that the right hon. Gentleman the Member for South Lancashire should have advised the Committee to pause before they granted this slight concession to a large body of deserving men who were selected, for the most part, by a competitive examination, and on account of their general ability. He could not see that their being in a Government employment was a reason for their exclusion from the franchise. If it were, the same reason would apply to all the officers of State, including even the Chancellor of the Exchequer.

Mr. CLAY said, he did not see why these gentlemen were not as much entitled to vote as the officers of the army and navy. He did not believe that the gentlemen to whom the clause referred exercised an undue influence on Members; but, if they did, why were they not as much entitled to do so as attorneys, who pressed Members to vote for the repeal of the Attorneys' Certificate Duty?

Clause *negatived.*

Mr. DARBY GRIFFITH said, the proposal next to be moved was of an interesting character, likely to lead to some discussion, and was to be proposed by a right hon. Gentleman of great eminence. He therefore moved at that hour (half-past eleven) that the Chairman report Progress.

The CHANCELLOR of the EXCHEQUER said, it was now the hour when, generally speaking, distinguished orators rose to address the House. Remembering the observations he ventured to make at the commencement of the evening, he thought the Committee might combine both objects, of proceeding with the Schedules and listening to the arguments of the right hon. Gentleman (Mr. Lowe), with the attention to which they were always so justly entitled.

Motion *withdrawn.*

Mr. LOWE: I do not wish to ask the Committee to adjourn or to go on, but I really have no wish to delay the measure. I move that—

"At any contested election for a county or borough represented by more than two Members, and having more than one seat vacant, every voter shall be entitled to a number of votes equal to the number of vacant seats, and may give all such votes to one candidate, or may distribute them among the candidates as he thinks fit."

I am afraid that I am about to add one more to the large number of unsuccessful attempts made during the course of the present measure to break into the monotonous nature of the franchise, to introduce some variety into it, and to give to the minority of a constituency an opportunity of being better heard at an election. I approach the subject with no great confidence of success, but I will lay the reasons for my proposal before the House as shortly as I can. One reason why I ask the favourable consideration of the House to the proposal is because this is the last opportunity for giving variety to the franchise. This is the last on the list. All our other arrows have been shot; not one remains in the quiver; so that if this does not hit, there will be nothing left but one simple uniform franchise to be entrusted to, and left in, the hands of the lowest class in society. I must not be understood as coming forward to argue for any protection for the minority; but I cannot allow that there is any right in the majority to coerce the minority. When we form an organized body, such as a constituency, convenience dictates that the majority should bind the minority. But between the members of the constituency there should be absolute equality; the majority should have nothing given to it because it is a majority; the minority should have nothing taken away from it because it is a minority. In the case of an election where there are two opposing candidates, or four candidates, two on each side, the voters give their votes equally to one side or other, and the candidates receiving the greater number of votes are elected. In that instance the majority gains nothing because it is a majority, and nothing is taken away from the minority because it is a minority. That is the type of a fair election. But go further, and take the case embraced by the clause I propose. Suppose that in a three-cornered borough there are three vacancies. How stands the case then? One side, knowing itself to be the majority, proposes three candidates. The other side, knowing that it is in the minority, propose only one candidate, hoping by split votes and other means to carry the election of that one. Thus, the members of the majority, bringing forward three candidates, have three separate votes each; the members of the minority, on the other hand, which bring forward only one candidate, lose two-thirds of their electoral power, because, being a minority, they bring forward only one candidate. Is this treating the majority and minority equally? I demand no protection for the minority; but I demand that a man should not be placed in a worse position because he is in the minority; that nothing should be taken from him, and that he should be treated on an equality with other voters. The only way of effecting this object is to give to each voter an equal number of votes independently of the use he may make of them. What we now say to a voter is—"You have a certain number of votes, but your power depends on the use you make of them. If you give them with the majority you have three votes; but if you go with the minority you have only one." Thus two-thirds of his power is taken away if he goes with the weaker side. These may seem obvious arguments, but I am not aware that this argument has ever been presented to the public before. There may be an answer to it, but I confess it commends itself to my mind, and appears to show that in seeking what I do, I am not asking the House to surround the minority with any artificial protection, but merely to concede to it simple justice; in the proposal I make I am not desiring to give the minority protection, but equality. Let each voter have an equal number of votes, not dependent on the use he makes of them; let him be at liberty to dispose of them as he likes. Suppose the usage to be the contrary way to the present; in the three-cornered constituency each elector would have three votes, and would be allowed to dispose of them as he wished. Suppose some hon. Gentleman should interpose and say that this ought not to be, I maintain that if the voter does not distribute, but consolidate, he should only have one vote. The present system works fairly where there is only one vacancy; but it does not work fairly where there is more than one vacancy. The tendency of the present system is to make that stronger which is already strong, and that weaker which is already weak. By an arbitrary and unreasonable rule it strengthens the majority. By the same arbitrary and unreasonable rule it weakens the minority. On abstract justice therefore the present rule cannot be maintained. The proper way to alter it is to give each elector as many votes as there are vacancies, and leave him absolutely free to dispose of them as he pleases—to give all to one person—one to each of the three, or two to one and one to another. By that means you would be doing nothing unjust or unfair to the majority or to the minority. You would be merely putting them on a level, and leaving them on perfectly fair ground. That is the abstract argument. There are different ways by which the end might be accomplished; Some propose to give only a single vote to each elector; others recommend that when there are three candidates each elector shall have two votes, I prefer to give each elector three votes, and allow him to dispose of them as he pleases. The objection to the two first proposals is that they would operate in the way of disfranchisement, and would take away something people already possessed; because on the supposition that there are three candidates they have already three votes. The system I propose has greater flexibility and better adapts itself to the general purposes of elections. So much for the abstract right of the question. Now, secondly, as to its expediency; I do not put this proposal to the House so much as a means of balancing a party who is in the minority against that that is in the majority, or of compensating or redressing the inequality; because I am of opinion that the days of party are numbered. I do not believe you can, by any contrivance whatever, so manipulate matters that, with the franchise now really in the hands of the poorer class of householders, you can raise up any party for a moment successfully to resist the will of that class in whatever they may set their mind upon. That would be a delusion. The question has been ably discussed in the public press; there is nothing new to be said on it. I do not put this proposal forward with any such ambitious notion as that it will supply a curb to the excesses of democracy, still, I think it is one of no ordinary advantage. It will, at all events, procure some variety of Members, and will give some degree of representation, in danger of disappearing by the low level we have adopted. In a constituency such as I am supposing, those who can command one-third or one-fourth of the whole constituency will be able to return a Member. It will therefore have the advantage in a smaller degree of the measure advocated by my hon. Friend the Member for Westminster (Mr. Mill)—the plan of Mr. Hare—with the advantage that it must necessarily be a local one, not gathered from the four winds, but in the same electoral district. It would be a great advantage in a borough if all the property and intelligence combined together. With such influence as they could exert they might never be able to make head against the democracy you are creating; but with the greatest advantage to themselves and the nation they might return persons of a different stamp and class of character from that purely democratic class who will be returned in the greatest numbers—all much alike—as Virgil's heroes,

"——Fortemque Gyan, fortemque Cloanthum."

It would be "refreshing," as people say in novels, to have a little difference, even if the persons selected had not the courage or eccentricity to depart from the level way of treating matters characteristic of democracy; it would be an advantage to put such a thing in the power of the intelligence and property represented by the minority in a borough. We shall do wisely not to pass by an opportunity of infusing variety into the dead level of democracies. Changes are described in the most simple words as conversions of a minority into a majority. [An hon. MEMBER: As last year.] No, that was *per saltum*. I do not want that. The point I want to put is that it should not be as it is in some degree now, and as it will be much more hereafter. Opinion may go on growing and growing in a particular direction; but things may be so manipulated that the majority will have all the power and the minority nothing. What I desire is that this process should be gradual, that if a particular class of views, as Free Trade or any other right principle, should attract the attention of, and gain more and more upon, the intelligent constituents; that they should have the opportunity to give to the candidate who expresses their views, two votes, to another one, and to pass by another. You will find that in this way opinion in constituencies will ripen. Opinion in this House will ripen to changes, and the House will become a more delicate reflex of the opinion of the constituencies. The existence of a such system of gradual growth, not only of opinion, but in the representation of opinion, will to a great extent prevent the necessity of external agitation, and be a great discouragement to it. There is nothing more worthy of the attention of statesmen in the new state of affairs than any thing which will have a tendency to prevent that violent oscillation from one side to another, which we now witness. What happens in the United States? The minority of thousands might as well not exist at all. It is absolutely ignored. Is this country, in like manner, to be formed into two hostile camps—debarred from each other in two solid and compact bodies? Or are we to have that shading off of opinion, that modulation of extremes, and mellowing and ripening of right principles, which are among the surest characteristics of a free country, the true secrets of political dynamics, and the true preservatives of a great nation? I say, first, then, that what I propose to the House is in itself just, equal, and fair, founded on no undue or unfair attempt to give a minority an advantage they are not entitled to exercise; and, secondly, that it is peculiarly applicable to the state of things on which we are entering. It appears, indeed, our only hope. Nothing remains behind. This is the last offer that can be made before you put it out of your power to do anything to remedy the violence of the changes you are making. Woe to us if we refuse it our thoughtful attention. I do not imagine that anything I can say will commend a matter at once so new, so abstract, and perhaps so difficult, certainly so contrary to all previous associations, to the favour of the House. But I trust that the House will give it a fair and candid consideration, will have regard to the immense value of the result to be attained, and will not repudiate the means unless perfectly satisfied that they are not adequate to obtain it. It is no objection that the plan is new; I should not have proposed it if things had been left as they were. But we are about to enter upon a new and untried state of things, a state of things the effects of which in this country no one can predict; but the effect of which in all other countries where they exist, tend in the direction this change is calculated to remedy. I may justly add that the principle of the clause is large enough to include boroughs returning two Members as well as those which have three, and, if it were worth while, I am prepared to contend that upon abstract principle it ought to be applied to both classes of boroughs. But I am not aiming at all I think advantageous, but at what is possible. I will not say how much I wish that I could express with more clearness and effect, my desire that the House will give this matter that careful consideration which will, I am sure, lead them to a right and sound conclusion.

New Clause—

(Power to distribute votes.) At any contested Election for a County or Borough represented by more than two Members, and having more than one seat vacant, every voter shall be entitled to a number of votes equal to the number of vacant seats, and may give all such votes to one candidate, or may distribute them among the candidates as he thinks fit,—(*Mr. Lowe,*)

—*brought up,* and read the first time.

Question proposed, "That the Clause be read a second time."

MR. LIDDELL said, that throughout the debates on the Reform Bill one thing had particularly struck him—namely, the disposition on the part of the House to reject anything novel in a rather unceremonious manner. He had observed extraordinary Toryism in that respect coming from quarters where he should have least expected it. The embodiment of that description of Toryism appeared to him to be found in the hon. Member for Birmingham. But he rejected the contribution of so-called Constitutionalism from that quarter. He was generally rather inclined to reject contributions to the Reform of the Constitution from the manufacturing districts; and when he saw the antipathy of the hon. Member for Birmingham to a measure of this kind, he was inclined to think there must be something good in it. After the very able and interesting speech of the right hon. Gentleman the Member for Calne, he should not detain the House at that hour, but he must express his opinion that this was a very grave moment in our political history, and that after what the House had already done, they ought to at least pause before they consigned the minority of political opinion in this country to extinction. Before they decided on such a course they ought to gravely consider the question raised by the right hon. Gentleman. The leader of the Opposition, for whose opinion he and every other Member of that House entertained the greatest respect, had said on a former occasion that he should like to hear this question discussed, in order that he might form an opinion on it. As it had now been regularly raised for the first time, he hoped it would receive a careful consideration, and with the view of securing for it such a consideration he begged to move that the Chairman report Progress.

Mr. THOMAS HUGHES said, he felt as many hon. Members in that House must feel—that the great drawback to representing a large constituency, such as his, was that you did not represent it. The borough which he represented contained upwards of 26,000 voters, but of those scarcely more than 16,000 ever came to the poll. Why did not the remaining 10,000 come to the poll? Because they felt there was little use in their doing so, as there was little or no chance of their finding any one likely to represent them standing for that borough. Accordingly the political opinion of the great remainder who did not vote never found expression in their own borough. He was not departing from the question in illustrating the effect of the present system by showing how that system worked in his own borough. Whenever great questions arose in that House, the active portion of his constituency who refrained from voting for the reason he had stated disapproved of the course he took, and gave him constantly to understand that they objected to his principles and his conduct as M.P. for their borough. Of course he was glad of that, because his principles were of an opposite character to their; he did not represent them. But it was monstrous to say that they ought not to have a chance of having their opinions represented in some way. The present proposal afforded that chance. Some method of the kind proposed was the only way to give a representation to minorities and give them an active part in the political life of their country. He thought it was quite as important to rouse that portion of the community who had the franchise and did not exercise it into political activity, as to extend it to those who had not got it at present. He believed that the Englishman who did not take an interest in public affairs was, as a rule, a useless member of the community. If an Englishman did not take that interest by his nature, he required some outlet for his superfluous energy, and he was sure to throw a great amount of it into pursuits not beneficial to his country. If among the upper classes, he took to the turf, or game preserving, which ought to be an amusement, but of which he made a profession; if in the middle class he probably took to some form of money making; if in the lower class to gin drinking. It was monstrous for this House of all bodies to refuse to represent minorities. It was the regular practice in the House when it was decided to legislate on a subject to send it to a Committee composed, with the exception of the Chairman, of as many of the minority as of the majority. The House recognized in its own practice this very system of the representation of minorities. He had been told there were objections to this measure because it was a Conservative measure in disguise. He was not afraid of a Conservative measure in disguise, because the franchise part of the present measure was said to be a Conservative measure in disguise, and it was not a part that he at least was afraid of. But supposing it was a Conservative measure, he wanted to ask Gentlemen on this side of the House whether they had so little faith in their principles that they would not do a just thing for fear of the risk that the cumulative vote in these three-cornered constituencies would throw a few more votes on the other side of the House? Could they not believe that their principles would succeed whatever might be the change brought about by accepting this proposal? He did not think any man on the Liberal side need have so little faith in his principles as to fear either the franchise bestowed by the Bill or three-cornered constituencies. He believed that Liberal principles would go on and succeed until they became those on which this country would permanently be governed. He thought the right hon. Gentleman the Member for Calne was correct in saying that this was the only chance the House would have during the progress of the Bill of giving any representation to minorities. He therefore hoped the House would consider the matter maturely before they threw away this last chance.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:* — Ayes 88; Noes 213: Majority 125.

Question again proposed, "That the Clause be read a second time."

House *resumed.*

Committee report Progress; to sit again at Two of the clock *To-morrow.*

BARRACK LANE, WINDSOR (RIGHT OF WAY) BILL.

On Motion of Sir John Pakington, Bill for extinguishing certain Rights of Way over and along Barrack Lane, in the borough of New Windsor, in the county of Berks, *ordered* to be brought in by Sir JOHN PAKINGTON and Sir JAMES FERGUSSON.

Bill *presented*, and read the first time. [Bill 229.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, *July* 5, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—War Department Stores Protection (183); Charitable Donations and Bequests (Ireland) (177).

Committee—Morro Velho Marriages * (182).

Report—Morro Velho Marriages * (182).

Third Reading—Consecration and Ordination Fees * (193); Land Tax Commissioners' Names* (175), and *passed;* Salmon Fishery (Ireland) Act Amendment (199), *negatived.*

THE REVISED CODE—CERTIFICATED TEACHERS.—OBSERVATIONS.

THE EARL OF CORK rose to call attention to the Hardships entailed upon small Parishes by making the Employment of a certificated Teacher an indispensable Condition for their obtaining Government Assistance. The subject to which he proposed to direct their Lordships' attention was one replete with the utmost interest, both to every Member of that House and to every person in the country—he meant the question of education, and, in particular, the operation of the system by which under the present Revised Code Parliamentary assistance was conceded to schools, as well as the conditions by which such grants which were restricted. Their Lordships were, doubtless, well aware of the Motion brought forward during the two successive Sessions of 1862 and 1863 in "another place" by Mr. Walter, the then Member for Berkshire—namely—

> "That to require the employment of certificated teachers by school managers as an indispensable condition of their participation in the Capitation Grant is inexpedient and unjust to managers of such schools:"

The Motion gave rise to much discussion, but was each time defeated. The speeches of the hon. Member in question seemed, nevertheless, to have produced some good result, for he found that, in 1865, a Select Committee was appointed to inquire, among other points, into the best mode of extending the benefits of Government inspection and the Parliamentary grant to schools at that time unassisted by the State. The Committee examined a large number of witnesses without, however, arriving at any decision; though in a draft Report prepared by the Chairman, Sir John Pakington—which, however, was not carried—the following paragraph occurred:—

> "That, although they cannot endanger the supply of competent teachers by proposing the abandonment of the teacher's certificate as a condition of assistance to the school, such a modification should be adopted as would prevent it from being, as it now is, an impediment to the extension of education."

He (the Earl of Cork) owned that he relied to some extent upon this partial admission, coming from such a quarter, that one at least of the conditions exacted by the Privy Council operated as an impediment to the extension of education, to set him free from the imputation of factious fault-finding in bringing forward a grievance which, in his opinion required nice handling and careful adjustment; and he thought that in support of this opinion, he could refer their Lordships to no mean authorities on the subject—nay, he must be permitted to add that in stirring in this matter at all just now he was greatly prompted by a conviction of the really beneficial effect upon the country generally which would result from a strong expression of their Lordships' opinion upon points of moment and importance. For many years, while the question of National Education was pending, it was vehemently discussed by two antagonistic parties—namely, the advocates of a wholly voluntary system on the one side, and those who were desirous of State assistance on the other; while these latter were again divided among themselves as to whether the intervention of the State should carry with it the weight of religious training or be confined entirely to secular instruction. But the differences between the two antagonistic factions he might now assume to have practically adjusted themselves, inasmuch as the voluntary party was not only so widely spread as to have actual possession of the educational ground; but, moreover, the Report of the Commissioners of Education for 1859, most satisfactorily established the fact that the assistance hitherto obtained from Government, far from superseding, had additionally stimulated private expenditure; for while Government between 1839 and 1859 voted for educational purposes £4,400,000, the sum raised from other sources for the same purpose was £8,800,000. No one, indeed, could have studied the Report to which he had alluded or attended to the numerous debates which had taken place upon the subject, both in that House and "elsewhere," without arriving at the conviction that the Government of the day pursued the wisest course open to them between conflicting opinions in coming forward to help the voluntary efforts of the promoters of education by certain grants bestowed upon specified conditions. But allowing the original intentions of the Government to have been sound and right, let the House consider how these intentions had been carried out. Had these grants been distributed throughout the country equally in proportion to the need that existed, and fairly as regards the taxpayers, or, rather, on the contrary, had not their distribution created a privileged class, who, without resting solely upon the ground of superior merit, were yet able to enjoy exclusively what should be within reach of the whole? In thus alluding to certificated teachers, and in protesting against their monopoly of nearly all the Government aid, he was anxious to be understood to mean no disparagement of either themselves or the schools under their charge, nor to seek to institute any invidious comparison between the two classes of certificated and uncertificated teachers. Their respective merits had been most fully and ably discussed, both in 1859 and before the Committee of the House of Commons in 1865 and 1866. On the one side, Dr. Temple and Messrs. Bellairs and Norris, Government Inspectors of Schools, insisted strongly on the importance of a certificate, the superiority of assisted over unassisted schools, and the danger of any relaxation in the former respect; while, on the other, most of the gentlemen called by Mr. Walter seemed to agree with Mr. Lea, a Diocesan Inspector of Worcester, in thinking that—

> "Payment by results, without certificate, would be a great encouragement to small schools, without any disadvantage; that it would practically lead to increased employment of certificated teachers; that some schools with uncertificated teachers are well worthy of the grant; that an experienced inspector could soon detect the true character and merit of the school, whether the teacher has a certificate or not."

Then Mr. Fraser said—

> "I have never seen any reason to modify in any way the opinion which I expressed before the Royal Commissioners—that, as a general rule, schools under certificated and trained teachers are very superior in discipline, organization, and instruction to schools under untrained and uncertificated teachers; but, at the same time, it is a rule which has many exceptions, and every now and then you come across a teacher who is neither certificated nor trained, but who is a very competent instructor and a very good organizer of a school."

Such opinions as these must be based, more or less, upon individual experience, which experience must be, more or less, confined within a narrow field, and, however widely spread, could seldom arrive at constituting a full and impartial test. The real criterion of efficient teaching lay in the effects, not in the cause; or, in other words, in the pupils, and not in the masters. By establishing this test of efficiency as the real and paramount one, we should carry out with great fairness and certainty that system of payment by certain results recommended by the Commissioners in 1859 — namely, that if the results were bad there should be no pay, and *vice versâ*. He would call their Lordships' attention to the fact that in no profession of life was it made incumbent upon any candidate to adhere to some one particular school or tutor; but if once he passed the necessary examination he entered unimpeded upon the duties and advantages of his career. He would say, let the teachers of our smaller schools share the same comparative privilege, and they would gladly present their pupils to the necessary Government inspections, conscious of having done their best to earn the prospective reward. Mr. Winder, one of the Assistant Commissioners in 1859, said—

> "I saw several, both inspected and uninspected, schools sufficiently efficient to deserve the grants if efficiency were the only test. Most of the latter would very gladly submit to inspection for the single purpose of obtaining the capitation money, so long as they were certified to deserve it. It certainly does seem hard that these schools, which, as far as the country at large is concerned, are as meritorious as any others, should have all public aid denied except on the condition of dismissing their tried and competent masters. That a master has not or cannot come up to a certain literary standard may be an excellent reason why he should not have the advanced education of pupil teachers in his hands, but it does not seem a very strong one for refusing to give him the means of teaching better the scholars whom he has proved he can teach well."

In advocating the principle of payment by results, he was anxious not to be misunderstood. He did not desire that the Government system of according certificates to teachers should be altogether superseded. Let the managers of schools who thought it more to their advantage to employ certificated teachers by all means do so. Nor did he believe that a modification of the existing system would eventually have the effect of diminishing their number. He was aware that Her Majesty's late Government, in the Revised Code, took a step in the direction of affording greater facilities to schools which sought its assistance towards their securing it; but there nevertheless remained the difficulty caused by the Privy Council insisting upon the employment of certificated teachers, which difficulty was to many poor districts insuperable, since it prevented them having any claim upon the Government grant without incurring expenses beyond their means. The evidence upon this subject showed that the salaries of certificated teachers averaged from £20 to £25 a year more than those of the uncertificated teachers. It was thus perfectly impossible for the managers of the small schools in our lesser parishes, and the large schools in our poorer parishes, to obtain this additional sum. The consequence was that the richer parishes who really did not need help so much obtained it, and the poorer ones were passed by. The late Lord President of the Council (Earl Granville), in answer to the Question—

> "Does not the condition of a certificate operate as a considerable premium to the salary of the master?"

said—

> "I think it will find its level in course of time, but I should think that it had that effect now;"

and in answer to the Question—

> "Have you any doubt that this condition does operate as a bar to the application for annual grants from rural schools under 1,000 inhabitants?"

he said—

> "I think that it does. I think all safeguards for efficiency to a certain degree act as restrictions."

Mr. Forster, who was one of the Assistant Commissioners of 1859, gave this important evidence upon this point—

> "The most obviously well-founded complaint is, that the system is not calculated to reach the whole population; and that, as now administered, it inevitably excludes those that need it most. In the district I have been over, where the position of the labouring classes is much above the average of the whole country, only 35 per cent of the public schools, excluding 50 per cent of the children actually attending, are even nominally under Government inspection; while only 15 per cent schools, with 27 per cent scholars, receive that annual aid which alone insures regular supervision. The poorer neighbourhoods cannot afford the salaries for certificated teachers, and if they could they would not be able to obtain their services, although many deserving schools in poor neighbourhoods seem greatly to need help and would be thankful for it."

This state of things fell with peculiar hardship on the poorer clergy, who took a great interest in their schools, and many of whom, with their families, subscribed liberally of their time and attention; for as the matter now stood the Government would assist the schools on which the managers bestowed money, but would not do so by the far more needy ones wherein they and their families could only give what was certainly equally useful, and to themselves perhaps more precious—namely, time and services. In nearly all the densely peopled town districts, for instance, the burden of education was chiefly thrown upon the clergy and sustained by their zeal and energy, and surely, when we considered how limited were their individual means, it was not overstating the case to say that few have such claims for aid as the workers in these less-favoured districts. Mr. Vaughan, Diocesan Inspector in Somerset, wrote to him thus—

> "Allow me to point out the hardships the poorer clergy suffer. A poor clergyman can give his time to his school, and often get his school into first rate order by careful superintendence; he cannot afford to give money, and secure a certificated teacher. A rich man gives, say his £20 or £30, and never perhaps enters his school, obtains a certificated master, gets Government help. The gift of the poor clergyman's time is far more valuable than his neighbour's money, and he is discouraged," &c.

As an instance of the unsatisfactory working of the present system, he said—

> "In the parish of Wraxall, agricultural population 916, with rich and liberal landlords, we received more than £80 for our schools from Government. We have a certificated master and mistress. In another parish, population 1,500 or thereabouts, miners, no resident gentlemen, a poor parish, a master valued by the poor, a larger school than ours; no Government help is obtained, the master having no certificate. These parishes are contiguous."

Mr. Hedley, one of the Assistant Commissioners, said—

> "At present there is no doubt that the schools which need the help most, and which are (if their difficulties be taken into account) as deserving as any, are the least able to obtain it. The managers of rural schools say—and I think with reason—that they are not fairly treated as candidates for the grant. If persons who struggle most perseveringly to promote the education of the poor in the face of the utmost disparagement have any title to the help which the Capitation Grant would give their schools, the managers of village schools may certainly ask for some more favourable conditions to be attached to that grant."

The system of requiring certificated teachers as a condition of Government assistance had had a fair trial, and much anxiety had been shown to share in its benefits; but nevertheless what were the results? Why, that while the sum of £636,000 was Voted by Parliament last year for educational purposes, there remained 11,000 schools in parishes, containing no less than 4,000,000 inhabitants in the aggregate, excluded by various reasons from such assistance. Although it might be true that a small proportion of these schools were injuriously affected by peculiar motives influencing their managers, with a much larger number the reasons that debarred the managers obtaining the services of a highly paid teacher, and so connecting themselves with the Government, were the smallness of the parish, the absence of a resident proprietor, and the short time for which, too often, the children were allowed to remain at school. This was particularly the case in the counties of Somerset, Dorset, and Cornwall, where more than half the parishes numbered less than 600 inhabitants each. He had a table showing that in Worcestershire, out of 143 parishes of less than 500 inhabitants each, only four were assisted by the State. In Warwickshire, out of 170 such parishes, only twelve were assisted. In the diocese of Canterbury about three out of every five schools received annual grants. In Shropshire, Cheshire, and Staffordshire, two-thirds of the schools in rural districts were unassisted. In Berkshire and Oxfordshire, of 168 schools in 229 parishes, only sixty-five received grants. In Devonshire and Cornwall only 233 schools received annual grants. In Somersetshire, out of 500 separate schools under diocesan inspection, only 206 received annual grants. In Norfolk and Suffolk 190 received them. In the county of Bucks only two-thirds of the parishes did. In Cumberland and Westmorland, out of 120 schools in connection with the Diocesan Board of Education at Carlisle, only eighty were connected with the Government. Surely the education of the people at large was at present a matter too paramount in importance to allow of the continuance of this number of neglected districts. It must be admitted by every one who looked on the subject with an unbiassed mind, that these things constituted a glaring evil, and that the system required amendment since it did not permeate through the country freely. He wished to see the subject lastingly settled on an equitable footing. The noble Earl at the head of the Government had admitted that there was a glaring evil; he said that the question was a difficult one, upon which he had not made up his mind, and that it was one to which the Committee of Council ought to turn their attention. The late Lord President of the Council (Earl Granville) in answer to the question

> "You are aware that 11,000 parishes had not the advantage of either inspection or assistance?"

said—

> "I may say since 1853 I have very constantly thought upon the question. I think it is a very great evil, and one which I wish to see remedied, but I believe that the greatest difficulty attends it."

Mr. Bruce said—

> "I think it most important that that portion of the country now receiving no assistance from education grants should be brought within the supervision of the Education Department."

He also said—

> "The present system is imperfect, since it only deals with a limited portion of the country:

again he

> "Considered the present state of the education question unsettled."

For these reasons he (the Earl of Cork) earnestly pressed upon his noble Friend, the President of the Council, to go a step further than his predecessor had done, and to give effect to the views of the Commissioners of 1859, who said—

> "The time is coming when a further attempt should be made to influence the instruction of the large body of superior schools and of superior pupils who have hitherto been little affected."

He believed the *maximum* standard of requirements was more reasonable then it had been; but the question of money as he had endeavoured to show, still stood in the way of a very large number of parishes who were helping themselves to the best of their power. He was aware that the problem now raised was one not altogether easy of solution; and, theoretically, no doubt the principle of mainly helping those who could begin by helping themselves stood upon high ground; but, practically, it was one that did not admit of being carried out in education any more than in religion, for we wanted all classes to be Christians and educated, and the very objects most in need of our befriending in those respects, were those least able and likely to do much for themselves. He would conclude by expressing the hope that, during the recess, his noble Friend would turn his attention to this subject, and endeavour, if possible, to bring education within the reach of all those schools that, for various reasons, were struggling in vain to obtain the assistance they needed so much.

THE BISHOP OF GLOUCESTER AND BRISTOL said, he thanked the noble Earl very heartily for having drawn their Lordships' attention to the subject. He had not been able completely to follow the noble Earl in the general drift of his recommendations, but he joined with him in expressing the feeling that the rural parishes certainly did deserve more consideration than they received from the Government of the country. In the diocese over which he presided efforts had been made to procure funds to provide certificated masters; but, after all, a very large number of rural schools were, and would continue to be, unable to incur the expense necessary for that purpose. On the one hand, the position of such schools was matter for very serious consideration; but, on the other, he must say that from his own experience he could not doubt the value of certificated masters. The question, therefore, appeared to him to be how they could meet the case of the rural schools. A friend of his, who had been one of the most efficient of Her Majesty's Inspectors of Schools, had suggested to him that the difficulty might be overcome in this way:—A regulation might be made under which a portion of the grant might be conceded to schools not having certificated masters, and that another portion of the grant should never be given except to schools that had certificated masters. It was also suggested that the capitation grant of 4*s.* should never be given to schools which had not a certificated master. For himself he must say he was rather disposed to go on the half-price system. He thought the certificated masters gave a higher tone to the education of the scholars, and ensured a better organization of the school. There could be no doubt that the system of inspection was very expensive. Now, their Lordships were aware that in several of the country dioceses there were Boards of Education well sustained in the diocese. Sometimes these Boards had two or three Inspectors, and sometimes they had more. Now he thought it was worthy of the consideration of the House whether it might not be possible for the Government to put itself to some degree in connection with these Diocesan Boards, and render assistance through the machinery of these Boards. Where the Government were satisfied of the ability with which the schools was conducted they might use, to a considerable extent, the diocesan Inspectors. It might be urged that the examination of the schools must ultimately rest with the Government. It was true that must be so, but these diocesan Inspectors might receive instructions as to the examinations being conducted in such a way as to bring the school under the control of the Government. He thought that the noble Earl (the Earl of Cork) deserved the thanks of the rural parishes for the manner in which he had brought the Question under the notice of their Lordships.

THE EARL OF AIRLIE said, that when in that part of the country with which he was connected it was thought most desirable to erect a new school, and an application was made to the Committee of Council, the regulations were so stringent as to preclude all expectation of assistance.

THE DUKE OF MARLBOROUGH said, there was no doubt that the subject to which his noble Friend (the Earl of Cork) had called the attention of their Lordships was one of very great and vital importance to the best interests of the country; and there was no doubt, moreover, that their Lordships were met with the very broad and serious fact that there were a very large number of schools throughout the country which were not partakers of the grant which the State made for the purpose of national education. For some cause or other, not yet ascertained, these schools were not yet recipients of the aid which it was desirable they should receive. As far as he could gather from the remarks of his noble Friend, the observations which he had made, with a great deal of acuteness and judgment, would rather tend to establish the principle that the system of certificated masters adopted by the Committee of Council was one which it was undesirable to maintain, and that the more wide one of paying for results, however those results might have been obtained, should be adopted. His noble Friend had quoted from a draft Report, and taken his opinions, he thought, mainly from the statements in that draft Report, which was one submitted to a Committee of the other House of Parliament, appointed to inquire into the Education Department of the Privy Council. But he must remind his noble Friend that the Report in question had never been adopted by the Committee. It was submitted to them as the draft Report prepared by the Chairman, and must be taken for the individual opinion of that Gentleman and for nothing more. With regard to the general question of the expediency of employing uncertificated teachers, it was important that their Lordships should know what was the opinion of the Royal Commission of 1859 upon the subject; because, as far as he understood the remarks of his noble Friend, he would have led them to suppose that the Commission had simply recommended payment for results, and had come to the conclusion that the employment of uncertificated masters was not essential. He would quote a short passage from the Report of the Commissioners of 1859; but before doing so he wished to remind their Lordships of the state of matters which then existed with regard to the Government grants. There was at that time a complicated system of grants. Grants were made first to the masters on certain conditions, next to the pupil teachers on certain conditions, and then to the managers of schools in the shape of capitation money. The great object of the Commissioners of 1859 was to reduce what they found a very complicated and difficult system to administer to one of much greater simplicity and consequent efficiency. They recommended therefore, that, instead of making payments in different quarters, those payments should be made simply to the managers of schools and that the local administration should be responsible for the payment of those dependent upon it. The objects which they had in view were expressed in these words—

> "The objects which we hope to secure by the form in which we recommend that henceforth all grants from the Council Office shall be given to schools are—first, to maintain, as at present, the quality of education by encouraging schools to employ superior teachers; secondly, to simplify the business of the Office in its correspondence and general connection with schools in receipt of the grant; thirdly, to diminish the rigour and apparent injustice of some of its rules."—p. 337.

They then stated that their object was to attach a special value to the Inspector's Report—

> "In this manner we hope to maintain that principle of the Committee of Council, of which we have always recognized the importance, which has aimed at keeping up the standard of education by making the employment of trained masters and pupil-teachers essential to the reception of their grants. We regard this as the proper province of the Committee of Council. They have the control of the training colleges; they regulate the instruction of the pupil-teachers; and their representatives, the Inspectors, are peculiarly fitted by their position and experience to appreciate the differences which, independently of positive requirements, distinguish a good school from a bad one. We propose that the sums to be thus paid for trained masters and pupil-teachers may be increased or diminished within certain limits to be determined by the Committee of Council, according to the Inspector's opinion of the condition of the school. This is a necessary provision to invest the Inspector's opinion with importance; at present everything depends upon the Inspector's Report, and as the form in which we propose that the grant shall be given will have a tendency to diminish the importance of this report, we wish to attach a special value to it by the above means."—p. 333.

It appeared, then, that the Commissioners directly recognized the maintenance of the certificated teachers as an indispensable condition upon which grants of the public money should be given. He thought that some misapprehension prevailed as to the idea that children were to form the only subjects of examination with a view to the distribution of the Government grant. But the fact was children were only one of the subjects. The grant was to be paid when a certain result had been obtained on the examination of the children; but the school apparatus, books, school buildings, and the conduct of the school had all to be reported upon by the Inspector, and under the Revised Code every one of these things was made a condition of the grant. If that were so, then, ought they to conclude that the children were to form the only subjects of examination, and that to that examination no conditions should be attached? His noble Friend had alluded to the great advantage which would result from the examination of schools where there were no certificated teachers; but had he taken into account the great expense that would be entailed upon the country by such a process? If a general rule were to be adopted that all schools, be they what they might, should have a claim—and if certain schools were to be entitled to Government grants simply on the condition of results, it would, he thought, be very difficult to establish the position that all schools which showed those results would not have the same claim—in that case the expense entailed upon the country would be quite disproportioned to the advantages which would be gained. In many cases 15*s.* or 16*s.* would be laid out for obtaining what would not be worth half-a-crown. It was necessary to consider this matter in all its bearings, and he would therefore trouble their Lordships with an extract from the Report of Mr. Stewart, the Inspector, presented in 1862. Mr. Stewart said—

> "With your Lordship's permission I give examples of schools where the managers being in all cases entirely free from all interference have chosen the instruments they deem best fitted for their work, and are so far satisfied with the results that to the best of my belief they are making no efforts to improve them."

He would read one of the cases stated by Mr. Stewart, as an illustration of the class of schools which, if the position of his noble Friend was adopted, would be entitled to a grant—

> "The master has held the office of teacher since 1820, and is collector of assessed taxes and parish clerk. The schoolroom has a brick floor and is without desks, apparatus, or books. There are no voluntary contributions, but the master receives £34 per annum from an endowment, and supplies books, desks, &c., for the use of the few boys who come to school."—[1862–3. p. 68.]

Now, he was sure his noble Friend, from his knowledge of the schools in the country, some of them being dames' schools, and some schools of a very inferior character, would agree with him in thinking that many of them would come within the category represented by the illustration which he had read to their Lordships. The consequence would be that if the Government went to the expense of giving grants where uncertificated teachers were employed, the Inspectors would have to go over the country to examine schools utterly unworthy, and the results would be altogether inadequate. The certificated teacher was looked upon in this sense—he was a warrant that the schools were worthy of inspection. The master was trained for two years in a training school, he was afterwards placed in charge of a school, and that school must be reported upon two successive years by a Government Inspector before the master obtained a certificate. There were therefore two steps—the first to give the master his training, the next to see that he was able to conduct the school. That was the warrant which the Government had under the present system. He had endeavoured in a few words to put before their Lordships some of the leading points connected with what was really the necessity of maintaining the system of certificates; and he had done so because he was rather under the impression, from the remarks of his noble Friend, that his aim was not only to extend if possible the present system so as to bring unaided schools within the Government grants, but also to deal a blow at the certificates themselves. Now it must be patent to every one that when there was a large number of schools unassisted it was the duty of the Government to take that matter into their consideration. Well, successive Governments had done so, and had endeavoured as far as possible to lessen the difficulties which surrounded the question. In the year 1853 a Minute was passed enabling the certificate to be obtained with much greater facility than would be the case if the Government had insisted on the teachers being educated in training schools. By the Minute of 1853 any teacher could obtain a certificate, and so bring his school within range of the Government grant, if he had passed two successful examinations by a Government Inspector. A teacher had no need to pass through a training college; he had only to ask a Government Inspector to visit his school, and if that school was reported of favourably on two successive occasions, and he himself were to pass an easy examination in Scripture, English history, geography, grammar, and arithmetic, including vulgar fractions, the certificate would be given to him, and his school would become eligible for a Government grant. Another mode by which schools in small parishes could bring themselves within the range of Government assistance was dealt with at some length in the Report for this year, already presented to Parliament, and now being printed. He referred to the employment of schoolmistresses, respecting which the Report said—

> "Mistresses quite competent to manage, with the help of a female pupil-teacher, schools of sixty or seventy children where the boys do not stay much beyond their tenth year completed, may be engaged towards the end of each year, for commencement of service in the next, at the rate of £40 per annum, and furnished lodgings, from the training colleges. The cost per annum therefore of such a school will not be less than—Mistress's salary, £40; female pupil teacher's (average) £10; other expenses, £17; making a total of £67."

In schools of less than sixty-four pupils a pupil-teacher was not needed, so that in such a case the expense would be £57. The Report went on—

> "Assuming, then, a school attended on an average by sixty-four children, including the ordinary proportion of infants, the cost per annum might be reduced to £57, and the grants might very well be as follows; or if so much was not actually paid, the reason would be that the amount must not exceed half the expenditure:—Grant of 4*s.* each on sixty-four, average number attending school, £12 16*s.*; grant of 4*s.* per pass on 103

> passes, being the average number now obtained by schools of this size, £20 12*s.*; twenty-four infants at 6*s.* 6*d.* each, £7 16*s.*; making a total of £41 4*s.* The half, however, of £57 is only £28 10*s.*, and therefore, while the grant is not to exceed this latter amount, the above calculation shows how little likely it is to fall below it. The fees paid by sixty-four scholars ought to average not less than 2*d.* per week for forty weeks in the year; and they yield, on this estimate, £21 6*s.* 8*d.*, leaving only £7 3*s.* 4*d.* to be raised by subscription."

It must be patent to all that small parishes having schools of the size named, and smaller schools could hardly be efficiently managed, would most easily raise the small sum of £7 3*s.* 4*d.* by subscriptions from the resident gentry of the place. Another mode offering small parishes great facilities for gaining grants was by the union of small schools—a plan proposed by a benevolent lady who took much interest in schools, Miss Burdett Coutts. The proposal had been carried out by the Revised Code, and now adjoining parishes might be placed under one certificated master, and the expense be consequently much reduced. By these modes the Government had endeavoured to do away with the difficulties formerly said to prevent schools from employing a certificated teacher; and the Report of this year contained statements showing that the difficulties in the way of employing certificated teachers were not as insurmountable as some supposed. With a fair amount of energy and good-will on the part of the inhabitants and their clergymen, those difficulties—whatever they were—had been most successfully overcome. Mr. Byrne, in his Report to be published this year, gave two cases showing how small parishes could overcome the difficulties in the way of placing themselves under all the regulations necessary to obtain a grant from Government. His first case was that of—

> "Standish, a purely agricultural parish at a considerable distance from Gloucester. Population, 1,150. Vicar, the Rev. J. W. Sheringham. At Hardwick and at a distant hamlet are separate schools, leaving a population of not more than 350 available for the school in Standish proper. On succeeding to the living in 1864, Mr. Sheringham, who is also chaplain to the Bishop, engaged a certificated school-mistress at an annual salary of £40. His voluntary contributions for last year amount to more than £30; the Government grant to £13 16*s.* 10*d.* Number of children present at examination, thirty. In this school, notwithstanding the entirely rural character of the parish, and although it has hitherto been customary to confer gratuitous education, Mr. Sheringham has adopted the excellent plan of raising the school fees to a rate ranging from 2*d.* to 6*d.* per week."

The Duke of Marlborough

The other case was still more remarkable. It was the case of—

> "Nympsfield, a village difficult of access, lying in a hollow on the top of one of the Cotswolds. In the face of extraordinary obstacles, the local squire being of a different religious persuasion, Mr. Leah, the rector, has built a capital school-house, and is now about to erect a teacher's residence. His expenses during the past year have amounted to £118 17*s.* 7½*d.*, out of which £56 have been paid for the master's salary, £10 to a monitor, and some considerable sum for building alterations. His voluntary subscriptions amount to £73 13*s.*; school fees to £11 12*s.* 1*d.*; Government grant to £28 16*s.*; total income, £115 2*s.* 8*d.* This school is fully attended both by day and night, and is in a steadily progressive condition."

Those were instances of what might be done in small parishes where will and energy were brought to bear on the work by the population and clergy. He was far from inferring that, in those places where no certificated teacher was found, there was an absence of energy on the part of the clergyman; but he asserted that in many places there was an absence of interest in education which permitted the presence of difficulties for which the Government was blamed. Mr. Norris, in his Report, also to be published this year, gave a remarkable instance of a school's condition before and after a certificated teacher had been appointed to it. In 1853, Mr. Norris reported of Diddlebury, in Yorkshire, as follows:—

> "Buildings: no properly enclosed playground or yard; schoolroom not good. Wall desks. Books and apparatus deficient. Organization, three classes, under a master without any assistant. Methods, discipline, and instruction imperfect. I visited this school two years ago, and hoped the master would be able to overcome the difficulties of the place; but in this we have been disappointed. I find the school decreasing and lamentably inefficient. The demand for agricultural labour is very great; but I feel sure that a master of strong purpose and professional skill might raise up a good school."

In the following year Mr. Norris made a somewhat similar Report with regard to the efficiency of the school, and added—

> "The school deserves every encouragement; the efforts of the clergyman and his family have kept the school open under very great difficulties. A certificated master has now been induced to undertake it, in the hope that it may be made in some measure self-supporting; already I can see much improvement. If the experiment succeeds, it will be most valuable, as showing what may be done in a small scattered agricultural population, in the face of great want of funds and much local prejudice."

Mr. Norris also gave the balance-sheets of this school for the two periods. That relating to 1856 gave:—Local subscription, £23 16*s.*; books sold, £4 15*s.*; children's pence, £15 5*s.* 6*d.*; capitation grant, £1 18*s.*, making the total receipts, £45 14*s.* 6*d.* The expenditure was £50 19*s.* 1*d.*, with a consequent loss to the treasurer of £5 4*s.* 7*d.* The balance-sheet for 1861 showed:—Local subscriptions, £23 14*s.*; books sold, £6 0*s.* 9*d.*; capitation grant, £10 4*s.*; augmentation grant, £15; and children's pence, £52 11*s.* 3*d.*, showing the total receipt to be £107 10*s.*, which balanced the expenditure, which had been augmented by the expense of a certificated teacher. He gave these instances, not so much with a view to controvert the noble Earl's statement that there were unhappily a very large number of schools unassisted by the Government grant as to show that the question must not be decided hastily, because examination clearly proved that the disadvantages and difficulties under which some small parishes laboured arose not from the regulations of the Education Department, but from the unwillingness of those most concerned in the prosperity of the schools to exert themselves on their behalf. He therefore insisted that the abandonment of the principle of employing certificated teachers should not be hastily adopted. He was glad to say that the number of small parishes not enjoying the advantage of a certificated teacher, although still large, was decreasing, and that upwards of 116 were now receiving Government grants beyond what were receiving such grants four years ago. The action of the Revised Code, the "conscience clause," and the uncertainty always awakened by the fear of impending changes in the arrangements for dispensing the Government grant, were all causes calculated to create the difficulties opposing the full working of the system. He thought, however, that the suggestions made were well worth consideration by the Government, especially that thrown out by his right rev. Friend (The Bishop of Gloucester) with regard to the employment of Inspectors. While anxious to uphold the employment of certificated teachers he did not mean to say that some means might not be found by which assistance of a subordinate kind should be given to small schools. He could only assure their Lordships that he was fully alive to the importance of the subject brought forward by the noble Earl. It would receive the most anxious consideration of the Government, and he trusted that they would be found able to act in conformity with the principles which had been laid down, and by which they hoped that the blessings of good sound education might be conferred upon all classes of the community.

WAR DEPARTMENT STORES PROTECTION BILL.

(*The Earl of Longford.*)

(No. 183.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF LONGFORD, in moving the second reading of this Bill, said, that its object was to obtain greater protection for military stores, and to lessen the difficulty which was experienced in obtaining convictions against thieves and receivers of this kind of Government property.

EARL DE GREY could not help expressing some doubts as to whether the legislation now proposed was in harmony with the circumstances of the times. He was asked while at the War Office to bring in a similar Bill, but he declined to do so, because when the public once got the idea that private traders might have goods of this description in their possession, off which the Government marks had been imperfectly obliterated, it would be very difficult to obtain convictions under such special provisions. In former days the marks were a great protection against Government property being stolen; but now, in consequence of change of patterns and from other circumstances, sales of Government stores were common; and he very much doubted whether legislation of the kind proposed would not, without effecting much good in the direction intended, at the same time render the sale of old and useless Government stores almost impossible.

Bill read 2ª, and *committed* to a Committee of the Whole House on *Monday* next.

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.

(*The Earl of Belmore*)

(No. 177.) SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Earl of Belmore.*)

LORD CRANWORTH said, that, in his opinion, the English Charity Commissioners did not receive the approbation which was due to them for their useful labours. They prevented a large amount of litigation, and performed a great deal of work most carefully and satisfactorily; and he had no doubt that if the same powers were conferred upon the Commissioners in Ireland, similar results would follow in that country.

Motion *agreed to:* Bill read 2^a, and *committed* to a Committe of the Whole House on *Monday* next.

SALMON FISHERY (IRELAND) ACT AMENDMENT BILL.

(*The Lord Cranworth.*)

(No. 199.) THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3^a."—(*The Lord Cranworth.*)

LORD ABINGER said, he had presented a Petition against this Bill from a gentleman in Ireland, who held that there had not been sufficient time to test the efficiency of the improved Salmon Laws, and that if this Bill passed the whole legislation of 1863 would be reversed; and that the Irish salmon fishery, which had now become prosperous, would deteriorate and revert to its former depressed condition. He trusted that the Bill would not be allowed to pass; but if it did pass, he hoped that it would be so far amended as to introduce in it a limitation similar to that contained in the English law. Believing that the result of the Bill as it now stood would be very disastrous in the Shannon and throughout Ireland, he moved that it be read a third time that day six months.

Amendment moved to leave out ("now") and insert ("this Day Six Months.")—(*The Lord Abinger.*)

LORD CRANWORTH said, he hoped that their Lordships would not listen to a statement made on the very last stage of the Bill, without the least notice that there would be any opposition to the Bill. He should not go over the discussion again on the present occasion. By an oversight the vested rights of certain persons had been interfered with, and it was only just they should be re-instated in their former position. At the request, however, of several noble Lords he had consented to modify the clause by making it applicable to persons who had not exercised their rights within five years before the passing of the Act.

THE EARL OF KIMBERLEY was of opinion that although the clause rendered the Bill less injurious than it was before, it would be better to reject it altogether. The legislation of the last few years had operated most beneficially for the Irish fisheries.

After a few remarks from the Marquess of CLANRICARDE,

LORD STANLEY OF ALDERLEY expressed a hope that the Bill would be thrown out.

On Question, That ("now") stand Part of the Motion? their Lordships *divided:*—Contents 17; Not-Contents 24: Majority 7.

Resolved in the *Negative;* and Bill to be read 3^a *this Day Six Months.*

CONTENTS.

Chelmsford, L. (*L. Chancellor.*)

Buckingham and Chandos, D.
Marlborough, D.
Richmond, D.

Cadogan, E.
Derby, E.
Nelson, E.

Sidmouth, V.

Clinton, L.
Cranworth, L. [*Teller.*]
Denman, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*) [*Teller.*]
Templemore, L.
Wrottesley, L.

NOT-CONTENTS.

Beaufort, D.

Bath, M.

Airlie, E.
Amherst, E.
Belmore, E.
De Grey, E.
Devon, E.
Kimberley, E.
Lucan, E.
Romney, E.
Tankerville, E.

De Vesci, V.

Hardinge, V.

Abinger, L. [*Teller.*]
Bagot, L.
Churston, L.
Colville of Culross, L.
Ebury, L.
Foley, L.
Meredyth, L. (*L. Athlumney.*)
Southampton, L.
Stanley of Alderley, L.
Strathspey, L. (*E. Seafield.*)
Wynford, L. [*Teller.*]

House adjourned at a quarter past Seven o'clock, till Monday next, Eleven o'clock.

* * *

HOUSE OF COMMONS,

Friday, July 5, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Intestates' Widows and Children * [230].

Committee—Representation of the People [79] [R.P.]; Lunacy (Scotland) * [219]; Chatham and Sheerness Magistrate [Salary] * [211].

Report—Lunacy (Scotland) * [219].

Considered as amended—Sir John Port's Charity* [217].

Third Reading—Sir John Port's Charity * [217], and *passed.*

The House met at Two of the clock.

BANKRUPTCY BILL.—QUESTION.

MR. LEEMAN said, he would beg to ask Mr. Attorney General, Whether, having regard to the fact that the Bankruptcy Bill contains 479 clauses, many of which involve important questions of principle and not of mere detail, to the large number of Amendments standing for discussion, and to the consequent improbability of the House being able to devote sufficient time to the consideration of the measure in the short remaining period of the present Session, he will withdraw the Bill and reintroduce it next year?

THE ATTORNEY GENERAL said, the Bankruptcy Bill, however desirable in itself, could not, of course, be suffered to delay for a moment the more important measure before the House. It would be premature, however, to withdraw the Bankruptcy Bill at present, regard being had to the fact that within the last week or fortnight numerous Petitions from Chambers of Commerce, urging that the measure should be proceeded with, had been sent up. If the hon. Member would repeat his Question in a week or ten days, he (the Attorney General) should then be prepared to give him a final answer.

PRIVILEGE—ALTERATION OF NOTICES OF QUESTIONS.

MR. WHALLEY felt compelled to trouble the House with a short personal explanation affecting the privileges of Members. Yesterday he had handed, in the usual course, to the Clerk at the table, a Notice expressive of his intention to call the attention of the right hon. Gentleman the Secretary of State for the Home Department to the circumstance reported by the Mayor of Birmingham, as appeared from the statement of the right hon. Gentleman himself, that a certain publication was finding its way into schools and becoming a serious nuisance; and assuming that this publication was a pamphlet entitled *The Confessional Unmasked*, of his intention to ask the right hon. Gentleman, whether he would cause inquiry to be made as to the publication referred to, whether it was or was not a true exposition of the doctrine and discipline of auricular confession as recognized by the Roman Catholic Church, and of late years introduced and adopted by many clergymen of the Church of England? On reading the terms of the Notice as they now appeared upon the Paper, he found these materially altered, doubtless in accordance with the discretion vested in the Clerks for the despatch of public business and for the benefit of Members themselves, but still so as to attribute intentions to him which he had never entertained. The Notice, as published, was as follows:—

> "Mr. Whalley:—To call attention to the publication alluded to by the Mayor of Birmingham, and supposed to be a pamphlet entitled *The Confessional Unmasked;* and to ask, whether the Government will cause inquiry as to whether the said publication does or does not contain a true exposition of the doctrine, and discipline, and practice of the Roman Catholic Church?"

He never had the slightest idea of calling attention to the publication itself or its contents; his only object was to obtain information from Her Majesty's Government. The Notice also had been altered by the omission of material words towards the close. As the Notice Paper for the evening had not yet been printed, he wished to know whether it was not possible to restore his Motion to the original form.

MR. SPEAKER: If the hon. Gentleman had done me the favour of calling my attention to this subject previously to the assembling of the House, I should have had a better opportunity of comparing the two documents than I can have at this moment, when they have just been put into my hands. The House will be aware that it is continually the duty and the practice of the Clerks at the table to amend and alter in some degree the Notices that are given, some of which are not in form, and others open to various objections. It is a very difficult duty for the Clerks to perform; but it is one which, in my judgment, they have performed with great discretion, and generally with great advantage to the conduct of the business of the House. With reference to this particular matter, I hold in my hand the original Notice as it was handed in, and the amended or altered Notice; and it appears to me that everything that was material in the original document is contained in the Notice as it stands amended. An alteration has been made with regard to the statement of the Secretary of State; and it is not usual to refer in such a manner to debates which have taken place. There are also a few lines struck out at the close, where the hon. Member for Peterborough, after alluding to the "doctrine, and discipline, and practice of the Roman Catholic Church," added the following words:—"and of late years adopted by many clergymen of the Church of England." That statement involves a matter of opinion which may be considered to be, and perhaps is intended to be, an imputation on the clergy of the Church of England. It was only the other day that notice was taken in this House of the desirability of avoiding imputations of this nature in any questions which might be put. It therefore appears to me from this hasty view of the case that no injustice has been done to the hon. Member; but on the whole that some matters which might be considered objectionable have been, not improperly, removed. The House is now in possession of what has taken place, and it will be for the House to say whether, under the circumstances, any special proceedings are necessary.

THE CHANCELLOR OF THE EXCHEQUER: There can be but one opinion in the House upon this Question. We depend always upon the experience and discretion of the Clerks at the Table. I have had Notices of my own changed, and I am sure they have always been improved through the experience and information of those Gentlemen. I am sure the House will support their officers in the exercise of a duty which they discharge with so much sagacity and discretion.

SIR GEORGE GREY: I entirely agree with what the right hon. Gentleman has said; and I will add that I think matters of opinion, especially matters upon which opinion is strongly divided, ought not to be introduced into Questions put in this House.

MR. WHALLEY said, his main object in putting the Question was to relieve himself from the supposition that he had ever intended to call attention to the contents of the particular pamphlet. In all other respects, he bowed to the opinion which had been expressed.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

MR. BAXTER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he had any objection to state what course the Government intended to pursue with regard to the Scotch Reform Bill, it being generally understood that it could not pass this Session? Did the Government mean to propose the second reading with a view to confirm the principle of the Bill, deferring the consideration of the measure in all other respects to the next Session of Parliament?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I beg to say, in reply to the hon. Gentleman's Question, that it is our intention, when the English Reform Bill is passed, to move the second reading of the Reform Bill for Scotland. By assenting to the second reading, the House would be adopting these two principles, the extension of the franchise and the increase in the number of seats; all other points I regard as measures of detail, which may be more beneficially dealt with by the House upon subsequent stages of the Bill.

BUSINESS OF THE HOUSE.

THE CHANCELLOR OF THE EXCHEQUER: It will be, no doubt, for the convenience of the House that I should state now that we propose to recommend a change in the order of public business, with a view to its more speedy progress. We propose that on Monday next public business shall commence at a quarter instead of half past Four.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL.—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JULY 4.]

Bill *considered* in Committee.

(In the Committee.)

New Clause—

(Power to distribute votes.) At any contested Election for a County or Borough represented by more than two Members, and having more than one seat vacant, every voter shall be entitled to a number of votes equal to the number of vacant seats, and may give all such votes to one candidate, or may distribute them among the candidates as he think fit.—(*Mr. Lowe.*)

Question again proposed, "That the Clause be read a second time."

MR. SHAW LEFEVRE said, he felt some hesitation in prolonging the debates on this Bill by stating his objections to the clause of the right hon. Gentleman (Mr. Lowe), but those objections were of such a nature, that much as he wished the Bill to be carried, he should pause before accepting it if encumbered with this clause. He quite allowed that when we were about to make an advance towards democracy far beyond what any Member thought possible last year, it was worth while to consider whether by adopting any such plan as this we could remedy some of the supposed defects of democracy. Let us not, however, through fear of the unknown, adopt a principle which he believed to be a vicious one, and opposed to the well-working of representative Government. Now, the scheme of the right hon. Gentleman must not be discussed only with reference to the limited application which it would have under this Bill. If the principle were a sound one, by all means let the Committee adopt it, but let them adopt it universally; because if the minorities in Manchester and Birmingham ought to be protected and represented, minorities ought also to be protected elsewhere in the 300 other constituencies to which this clause would not apply. If, on the other hand, the principle when considered with reference to the whole country was unsound, let them not introduce the thin end of the wedge, and, at a time when they were chiefly engaged in getting rid of anomalies, introduce a new one. Now, the right hon. Gentleman disclaimed, as he understood, the protection of minorities, and placed his argument on the ground of abstract justice. He seemed to forget all that he told the House last year about the danger of arguing such questions on abstract rights and *à priori* considerations. For his part, he preferred to look at results, and if the scheme were adopted universally in the two-Membered constituencies, the result would be that, almost with certainty, the minority would be placed on an equal footing with the majority, and we should have a House returned giving an equality of Members to the two parties. He could not see the abstract justice of this or its expediency, and the short answer which he would give to the abstract justice argument of the right hon. Gentleman was, that if a voter found only one candidate to whom he could give his vote, it was because the convenience of the party suggested to them that the best mode of returning one Member was by starting one candidate only. It by no means followed that the voter's other two votes were lost; he would probably endeavour to split them, and to get other votes in return for his favourite. The real question remained, whether it was desirable by artificial means of this kind to secure a representation of minorities? Now, the main arguments on which this was contended for were two—first, the necessity of protecting a minority from the tyranny of the majority; and secondly, the expediency of securing the representation of intelligence and wealth in those cases where the upper classes were likely to be in a minority. Now, as regarded the first point, he believed that it was neither possible nor necessary to protect a minority. It was not possible, because, if the majority were really desirous of tyrannizing over a minority, no artificial scheme of this kind would prevent it. It would always find the means of securing its end, and it would probably turn any scheme that might be proposed to its own advantage. Party organization would avail itself of these arrangements, and with a certain majority of two-thirds, unfettered by considerations towards the other third, argument would be unavailing. In whatever way they might shuffle the pack the cards would remain the same. The game depended on that side which had the greatest number of trumps. Moreover, the scheme was not necessary. Experience, he ventured to say, of representative institutions worked out to their fullest extent did not show the necessity. It did not present cases where the majority tyrannized over the minority, or where the minority had not influence. If the minority were a considerable one, even if it was not successful in the election, its influence was by no means lost. Electors were not divided into two distinct parties by a sharp line, but there was every grade of opinion, from one extreme to the other, and experience showed, that if the Representative went too far in one direction, the moderate men in his constituency at once joined the other side and jeopardized his seat. It was the knowledge of this which insured moderation in many a Member; it was the certainty of this which made any great advance to a party impossible. He could quote numerous examples of the working of this in our own Constitution, and in the present Parliament there really seemed to be something of irony in advocating the claims of a minority. He could also quote instances from the working of the American Constitution. The right hon. Gentleman stated in his speech last night that in that country the minority of thousands might as well not exist, it being entirely ignored; but this he ventured to deny. There was no country where the position and numbers of a minority were so closely studied, and where, even when unrepresented in Congress, it carried more weight in proportion to its numbers. There was never an election without a contest, and politicians watched with the greatest care the growth or decadence of a minority. When he was in that country last autumn the most violent political contest was being fought. The action of the President had excited great indignation in the Republican party, and in the elections for Congress the utmost exertions were made by both parties. The Republican party carried all before them; they returned seven-eighths of the representatives, although, when the aggregate vote was counted, it proved that the Democratic party had obtained two-thirds of the whole number of votes. What was the result? The Republican party, elated by their success, endeavoured to carry out extreme measures in Congress; they threatened impeachment of the President, and they brought in an almost prohibitive tariff. In doing so, however, they frightened the moderate men of their party both in and out of Congress, and they failed in both objects; but the strength of their party enabled them to carry a moderate scheme for the temporary government of the South which had met with the approval of the country, and there had resulted a political lull. Now, in the American Constitution there were, as he thought, defects which made it much less likely that a minority would be represented in proportion to its numbers than in our House of Commons. The number of members for Congress was so small that the chances of variety and of the minority being there were much reduced, whereas here the number of our representatives was so great that it was almost a certainty that the minority would be represented in proportion to its real strength; and our system of double representatives increased those chances, while, at the same time, it left each Member responsible to his own constituency. For instance, there were 8 counties returning 3 Members each, and of these the minority succeeded in returning 5 Members—the numbers being 19 to 5. Again, there were 58 counties returning 2 Members each; in 16 of them 1 Member of each party was returned; in 32, 2 Conservatives were returned; and in 10, 2 Liberals; making a proportion of 80 to 36 — as nearly as possible that which would result from the adoption of three-Membered constituencies and cumulative voting. So, again, in the boroughs. There were 91 boroughs, with a population exceeding 10,000, returning 2 Members each; 34 of these returned 1 Member of each party, 44 returned 2 Liberals, and 13, 2 Conservatives, making a total of 124 Liberals to 60 Conservatives — the same proportion as if the constituencies had 3 Members, and the voters cumulative votes. On the other hand, if we looked at the Scotch boroughs, each of which returned 1 Member only, we found them all of the same hue. He contended, therefore, that our present system favoured the representation of minorities, while it retained the responsibility of each Member to the whole of his constituency; and he saw no reason why there should be any difference under the new franchise, though, of course, the two parties might be somewhat differently constituted, and their dividing line somewhat lower down. But then it was said, "By securing the minority its representation we shall get more moderate and more highly educated men. The upper classes, the property and intelligence of a constituency, will combine and return their own Member, and thus make head against democracy." Why, however, should the upper classes be the only minority thus to band together for its special purposes? Should we not have other minorities doing the same, and returning Members, not for the general good, but for their own special advantage? It had been our boast hitherto that Members represented their whole constituencies — that, when elected, they were to look to the benefit of all; but, if this clause were passed, they would look to the views and interests of sections only, and we should have far more decided partisans returned on both sides. The majority, relieved from fear or influence of the minority, would return more decided men; the minority, secure in returning one Member, would demand that that one should be more devoted to their views. Take the case of the three-Membered counties now existing, and suppose this clause adopted, would the minority of Liberals be satisfied with the Liberal county Members they now returned; would they not insist upon having a more decided Radical than the third Liberal county Member at present in general was? So also would it be in the great cities. If the upper classes combined to return a Member, it would be a man thinking only of class interests, a man bigoted and selfish, and probably hateful to the other classes in the town. These, on their part, relieved from the influence of the wealthy and the intellectual, would themselves return more violent partisans, persons having in view only class interests. He objected to this scheme, because it was based upon a theory of classes which was as yet unknown to our Constitution. It appeared to him to be of great importance that the wealthy and the intellectual should be compelled to descend from their eminence and to mix with the common people, and to maintain their influence by active interference of a legitimate kind. By adopting this clause we should prevent that circulation of interests and classes which was the very life of representative government, and withdraw the influence of the wealthy and the wise from directing, advising, and moderating the masses—by which process alone could we hope for the state so well described by the poet—

> "Where jarring interests themselves create
> The according music of a well-mixed State."

Mr. GORST said, he agreed with the right hon. Gentleman who proposed this clause, that no very striking results were to be expected from its adoption. He did not suppose it would materially increase or diminish the Conservative majority which the Chancellor of the Exchequer expected to secure in a Reformed Parliament, and to this fact he attributed the indifference of the two great party leaders to it. Those right hon. Gentlemen, indeed, had not much interest in the remote future effects of this Bill. They would not lose their seats; but would continue to occupy their present distinguished positions, and this consideration, it seemed to him, had seriously interfered with the proper discussion of this great revolutionary measure. The matter, however, presented a very different aspect to the younger Members of the House. The younger men were interested, not in what might happen in Parliament after a Dissolution, but in what would be the state of this country twenty or forty years hence. It was for this reason that he ventured to intrude himself upon the Committee, and state why he supported the clause. The young men were vitally interested in this Reform question. Many of them would lose their seats altogether, and would thus be cut off from that public career in life upon which they were just entering. The worst effect of the Government measure would be its demoralizing effect upon men who would be compelled to make themselves popular. He did not suppose that the opinions of a constituency would weigh unduly with men like the Chancellor of the Exchequer or the right hon. Member for South Lancashire, because their political opinions had long been formed, and settled; but he dreaded their influence upon young men whose political character was not formed, and who would have to stoop to make themselves popular. If he had no other reason to offer but that alone, he would feel himself justified in supporting the clause, because it would give them some hope, and point out a way in which hereafter it might be possible for people who were unable to make themselves popular with the masses to find their way into Parliament. He did not believe the re-distribution scheme of the Government would stop where it was. [Mr. Beresford Hope: "Hear, hear!"] He, for one, did not doubt that in a very few years they would have a scheme of distribution somewhat commensurate with the extensive reduction of the franchise which had been made. More three-corned constituencies would be created; and if the proposition contained in the clause were affirmed, they would have a principle established that would prove very beneficial, and there would be a chance for the representation of minorities. The hon. Member for Reading said that it was not desirable to represent minorities. That might, perhaps, be the case just now; but the time would come when it would not only be desirable, but necessary. It was the boast of that House that it at present represented all classes, and could not afford to be indifferent to the opinions of any class of their constituents, but after this Bill passed they would represent only one class, and that, generally, the lowest; so that the opinions of richer voters would be of no value when weighed in the same scale with a more numerous section. Looking to the future of this country, it seemed to him eminently desirable that there should be a chance hereafter of representing minorities He had not intruded himself upon the House during these Reform discussions, yet, night after night, he had been much distressed and grieved at the expressions made use of against the Conservative party. There was considerable justice in the remarks made towards them. It seemed to him they were in great danger of getting rid of the best part of their Conservative principles — to act contrary to all their previous opinions, and yet retaining the worst part of Conservatism. They were giving the country an extreme democratic measure, and at the same time they shrank from all those checks and precautions that hon. Members opposite had themselves suggested.

Mr. MORRISON said, he was glad the Committee had at length the opportunity of considering the principle involved in the Amendment. He feared that the advocates of this principle were in a minority in that House, and in the country. Yet in time they might hope to convert the minority into a majority, and especially to obtain converts among the younger men. The principle sought to be established by the right hon. Member for Calne was by no means new, nor was it without able and eminent advocates from the days of Burke to those of Guizot, Mill, Hare, &c. It was in the speech of a Conservative statesman, Mr. Praed, that the first notice of this proposal was to be found. Mr. Praed, during the debate on the Reform Bill in 1831, proposed that in the unicorn counties enfranchised by the Bill each elector should only have two votes. Mr. Praed said:—

"If we desire that the representatives of a numerous constituency should come hither merely as witnesses of the fact that certain opinions are entertained by the majority of that constituency, our present system of election is certainly rational; and Members are right in their reprobation of a compromise, because it would diminish the strength of the evidence to a fact we wish to ascertain. But if we intend, as surely we do intend, that not the majority only, but the aggregate mass of every numerous constituency, should, so far as it is possible, be seen in the persons, and heard in the voices, of their representatives—should be, in short, in the obvious literal sense of the words, 'represented' in this House—then, Sir, our present rule of election is in theory wrong and absurd, and in practice is but partially corrected by the admission of that compromise on which so much virtuous indignation has been wasted."—[3 *Hansard*, v. 1362.]

Lord Althorp replied, and made a prophecy as to the future, which, if the subsequent elections for unicorn counties were examined, would be found to be completely verified. The present Earl Grey made a proposal of a somewhat similar kind in the debate on the English Municipal Bill; and on the Irish Municipal Bill he proposed that when there were eight candidates to be elected, the elector should only have five votes. The noble Earl also proposed that the same principle should be introduced into the constitution of the Cape of Good Hope. Earl Russell likewise, in introducing his Reform Bill of 1854, proposed that each elector of a unicorn constituency should only vote for two candidates. The noble Earl said:—

"Now, it appears to us that many advantages would attend the enabling the minority to have a part in these returns. In the first place, there is apt to be a feeling of great soreness when a very considerable number of electors, such as I have mentioned, are completely shut out from a share in the representation of one place. . . . But in the next place, I think that the more you have your representation confined to large populations, the more ought you to take care that there should be some kind of balance, and that the large places sending Members to this House should send those who represent the community at large. But when there is a very large body excluded it cannot be said that the community at large is fairly represented."—[3 *Hansard*, cxxx. 498.]

In bringing forward his next Reform Bill in 1860, Earl Russell again gave his adhesion to the principle. He said:—

"The House may remember that, upon a former occasion, I made a proposition which was not very palatable to the House, and which was certainly not popular in the country—namely, that there should be a division of votes; in other words, that where there were three Members each elector should have only two votes. As that proposition was not very popular, although I think it was a fair and just one, I shall not attempt to renew it upon the present occasion."—[3 *Hansard*, clvi. 2062.]

In 1865, in re-publishing his *Essay on the English Constitution*, Earl Russell wrote as follows:—

"If there were to be any deviation from our customary habits and rooted ideas on the subject of representation, I should like to see such a change as I once proposed in order to obtain representatives of the minority in large and populous counties and towns. If when three Members are to be elected each elector were allowed to give two votes, we might have a Liberal country gentleman sitting for Buckinghamshire, and a Conservative manufacturer for Manchester. The local majority would have two to one in the House of Commons, and the minority would not feel itself disfranchised and degraded."

He held it to be a fixed axiom in modern politics that the opinion of the majority must rule; but it was most important for the well-being of the State that the minority should have a hearing; and that was necessary even in the interest of the majority themselves, who seldom knew what was most for their own real benefit and the benefit of the country, and could only arrive at that knowledge by means of a wholesome collision of arguments and opinions. Too much could not be done to inculcate on the community that this was an united nation, and that the interest of every one was bound up with the interest of all. That was a fundamental law in political economy; and yet how rarely was it accepted as a vital principle even by educated minds! The present proposal would secure to a minority in every place, forming one-fourth of the electors the certainty of having one representative. The minority would generally be better disciplined and actuated by higher motives than the majority, for a large number of persons always went with the winning side; whereas the greatest reforms ever achieved were always initiated by a small but noble band, who were at first in conflict with the majority. The minority, under that proposal, would have the greatest possible motive for selecting as their candidate the best and ablest man they could find, partly with a view of having their opinions well expressed, and partly also in order to win to their side the new voters who would come from time to time upon the register. Another result of the plan would be to get rid of a large part of the expenditure at elections, and it would likewise in many cases, put an end to bribery. Of course, he did not bring any special charge against the four or five cities and boroughs, or the seven or eight counties, which would be affected by that proposal; as, if it were adopted by the Committee, he looked forward to the time when after a trial of the experiment on so limited a scale, the House would see reason to enlarge the sphere of its operations. He concurred with the hon. Member for Lambeth in thinking that such a plan would have the effect of interesting an increased number of persons in politics. A large part of the population in many constituencies was now practically disfranchised. They took no interest in the elections, which was a grave evil; and there he joined issue with the hon. Member for Reading (Mr. Lefevre), who objected to the proposal because under it the wealthier and upper classes would no longer take an interest in politics. Its effect, he thought, would be directly the reverse of that. One serious objection that had been raised was that it would put the candidates of the majority in a disadvantageous position towards each other as regarded the splitting of votes between the popular candidates; and that was with him a reason for preferring the plan of Lord Russell to the clause of his right hon. Friend. The Chancellor of the Exchequer had said the result of such a proposal would be to weaken the Executive. They all knew the weakness of the Executive now, and all deplored it; but he thought the result would be exactly the contrary, inasmuch as the Executive would no longer have to fear sudden and capricious changes of opinion. The changes of opinion in that House would then be more gradual and more in accordance with the real public opinion of the time, which would enable the Executive to assume a bolder attitude, as it would not then, as was the case at present, so much fear to run counter to the feeling of any small body of persons. As a mere party question he believed that the effects of the proposal would be absolutely null and void. For himself he should scorn to allow his opinion on it to be influenced by such considerations; but as to the three-cornered constituencies contemplated by the Bill, while it was true that the Liberal party might obtain a seat in Berkshire, Buckinghamshire, and Oxfordshire, on the other hand, the Conservatives would gain a seat in Birmingham, Manchester, and the City of London. In conclusion, he was very glad to be able to stand there and give his adhesion to the principle contained in the clause, because he knew it was unpopular at present among the constituencies, and, although he was aware that the knowledge of the circumstances deterred many hon. Gentlemen from giving the proposal their support, he was yet convinced that the surest way to gain strength for it in the mind of the country was to show that a large number of Members of the House of Commons of every shade of political opinion had seriously considered it and had given it their adhesion.

MR. BEACH said, he was glad that so important a proposal as the present was likely to receive a full and fair discussion. The extreme difficulty, however, of carrying it out was exemplified by the fact that two of its chief advocates in that House sought to effect their object by different methods. The plan of the right hon. Gentleman (Mr. Lowe) seemed open to this objection, that it would place a rather insignificant minority in a superior position to that of the majority in a constituency. The proposition of the hon. Member for Plymouth was for a direct representation of minorities. If that principle were to be adopted at all it ought to be carried further. They could not adopt it simply where the electors returned three Members, but must also do so in constituencies which returned two; because an elector living in a constituency with three Members, and who had one candidate in whom he was especially interested, would have the power under that proposition of giving him three votes, whereas another elector, living perhaps in a neighbouring constituency, would be able to give the candidate in whom he might be especially interested one vote only. It was said that the representatives should be the reflection of the represented, and it was clear that the more electors were induced to take a direct interest in the affairs of the legislature the more would they take in the affairs of the country. An additional reason for the adoption of some plan of this kind was to be found in the present tendency to give increased representation to large and populous places. If in those places there were no cumulative vote or no representation of the minority the majority would have the power of returning a certain number of representatives in direct accordance with their own peculiar political views, and those Members, from representing the majority continually, would become rather delegates, compelled to carry out the popular will, than representatives as they should be, of the whole country. He would at once admit that no representative should be dead to the influence of public opinion, which at the present day exercised so much power; but he was at the same time of opinion that a representative should, on the great questions of the day, be left free to exercise his own independent judgment. His hon Friend the Member for Reading had in the course of his speech entered into some details with respect to the state of things which prevailed in America, and he, too, had had as well as his hon. Friend the pleasure of travelling in that country. He there learnt from several person whom he met that several of the most influential citizens of the United States shrank from taking part in public affairs because they were so greatly outnumbered by the lower order of the community. Now that was not a desirable state of things and it would, he hoped, be long before a similar state of things came to exist in England. It seemed also most probable that, if our representatives should become the mere delegates of the popular will, we should very soon have to resort to the payment of the Members returned to the House of Commons. Of the results which such a system led to in America he might be allowed to give a single instance. He once saw it stated in a paper that in one of the Western States of that country the people had a great objection to make any payment which was not absolutely necessary. Their taxes were not very great, and there was only one pauper in the whole place. Having to pay a representative, they hit on the expedient of sending the pauper as their Member to the Legislative Assembly, and thus made the one expense suffice. He had simply, in conclusion, to express a hope that the proposal of the right hon. Gentleman the Member for Calne, or some proposal similar to it, would be adopted. If that were done, there would be a good chance that all classes of the English people would be fully and fairly represented in the future House of Commons.

Sir ROBERT COLLIER said, it appeared to him that the hon. Member for Cambridge had put the question under discussion on the right footing when he very frankly stated that there was at present no necessity for the proposed change; but that he was favourable to it in consequence of the alteration which the Bill would make in the future constituency of the country. His right hon. Friend the Member for Calne had expressed a similar opinion, for he had a profound distrust of the new constituencies. In that view his right hon. Friend had been perfectly consistent, and amid all the changes of opinion which had taken place on the question of Reform he alone remained unchanged,—

> "Nec civium ardor prava jubentium,
> "Nec vultus instantis tyranni,
> "Mente quatit solidâ."

But what, he would ask, was the foundation of the argument on which the proposal of his right hon. Friend was based? It proceeded on the belief that the minority in the new constituency was more likely to be right than the majority, or that the majority were not in the future so likely to be right as they were at present. Now, that might be a very good argument against the third reading of the Bill or any extension of the franchise at all; but it seemed to him to be of very little force as addressed to those who were of opinion that the franchise was being properly extended, and that the new class of voters would be as good as, if not better than, the old. His hon. Friend who had just spoken had pointed out very clearly that which was the logical conclusion to which the arguments in favour of cumulative voting led—namely, to the establishmnet of the system in constituencies which returned only two Members. And what, he would ask, would be the effect of the adoption of such a system in those constituencies? Why, that in every one of them a minority of one-third *plus* one would be equal to the majority. In almost every such case two Members opposed in political opinion would be returned, and, inasmuch as their votes would neutralize one another, the practical result would be that all the great questions of the day would be decided by the constituencies which returned only one Member. He was quite ready to admit that, in the case of constituencies returning three Members, the arguments against the proposal before the Committee were by no means so strong; they were, he at the same time thought, of great weight. What, for instance, was the theory of our representative system? One Member was given to a comparatively small community, while two were given to a larger, in order that they might be more effectually represented, not merely in debate, but by votes recorded in the lobby; a constituency with two Members having twice the power on a division than that by which only one was returned. Applying the same rule to constituencies returning three Members, was it not intended that they should have still more power in that respect than those the number of whose representatives was smaller? If the present Motion were agreed to, the consequences would be that a great Liberal or Conservative constituency—it mattered not which, because the question was not one of a party character—would in reality be represented in the lobby on all important occasions by only one vote. In the case of Manchester, for example, and all the other great towns having three Members, the Member of the minority would neutralize one of the votes of the two Members for the majority, so that those great towns would practically not have a greater number of votes than a small borough like Totnes. His hon. Friend who spoke last had dwelt on two incidental advantages which, he said, would be likely to attend the adoption of cumulative voting—the prevention of bribery and of contested elections. He could not, however, help thinking that if it did operate to prevent contests it would do so only at the expense of something more valuable than their absence. A minority of one-fourth would, under the operation of the clause proposed by his right hon. Friend the Member for Calne, and still more if the Amendment of his hon. Colleague were adopted, be sure of returning their Member. The majority, too, would be sure of returning theirs. Indifference as to the candidates returned would be the result, and a political stagnation which might prove to be worse even than political excitement. But there was an inevitable difficulty attending the working of this principle. Let them suppose that the Member of the minority of one-fourth was named to a Government office, would it not be idle to expect that he would be re-elected by the majority? If that were so the Member of the minority would be rendered practically ineligible for the holding of office, and would thus be placed in a position of inferiority as compared with other Members. Besides, he could not help thinking that the novelty of having Members whose opinions were diametrically opposed to those of the majority of their constituency was calculated to place those Members in a false position in that House. He was not one of these who attached any great reliance on the argument of prescription. He was not opposed to all change, simply because it was change, nor did he adhere to an existing system merely because it happened to be established. Those who followed the right hon. Member for Calne, however, in the present instance, were advocating a system of voting which was wholly unknown to the Constitution of this country. The burden of proof, therefore, as to its expediency, he maintained rested with them, and in his opinion they had failed to make out any such case as should induce the Committee to assent to a proposition, which, as far as he could see, was due solely to a distrust of the new constituencies, and he should, therefore, certainly feel bound to oppose the Motion.

MR. ADDERLEY said, he was unable to concur in the view that the cumulative vote was an essential part of the new system of representation which they were about to adopt. He considered that the representation of communities was the principle of representation in that House; and hitherto he had always understood that the object of the process of election was to ascertain what were the prevalent wish and feeling of a community which chose men to represent them in that House, not merely in reference to one single question on which the election might have turned, but to think, consult, and deliberate for them as to what might be best for Imperial interests in general. They were told that the influx of democracy would be so great that they must abandon the old plan of ascertaining what was the prevalent wish of every community, and must arrive at some plan for enabling every individual, or, at least, every class of the constituency, to have a direct voice in that assembly. That was an entirely new principle. Hon. Gentlemen opposite told them that they had adopted so democratic a suffrage, they must endeavour to cure the evil by facilitating a process of combination against it.

The principle of this new scheme of representation had been enunciated in the hon. Member for Westminster's work by the words "that the whole people should be represented by the whole people;" but the question was whether that principle would be better carried out by the majority and minority of different places sending antagonists to Parliament to represent them on opposite views, or by the collective community electing Members who on all questions could think and act for the integral constituencies by which they are returned. The present mode of ascertaining by the voice of the majority the prevalent will of a constituency was, according to the proposed plan, no longer to be the rule; and the locality returning a Member was no longer to be considered as an organized community, but every individual in it was to be severally or in groups represented. Every community in order to be represented in that House had hitherto acted as an unit, and, just as an individual arrived at a conclusion, after balancing conflicting reasons, so a community, after balancing one set of opinions against the other, expressed its decision in a contested election through the majority, and the Members elected were intended to represent freely, and in their own judgment, the aggregate will of the place. There were some Gentlemen there who might see only one side of a question, who did not trouble themselves to balance reasons; they were analogous to rotten boroughs, or places never contested: but, happily, they were vastly outnumbered by those who brought the effect of balanced judgment to bear upon their decisions, and such alone are worthy members of a deliberative assembly. It seemed to him that a representative was not to be taken to indicate the opinion of every individual he represented, but to exercise a judgment which was in general accordance with the opinion of his constituents. Was it to be supposed that hon. Members represented the stereotyped opinion of their constituencies on one point merely? Did any hon. Member suppose that he merely represented in that House his constituents in some one particular view, or on one question, such as Free Trade or Reform? If he did, he was not fit to represent any constituency in that House. The hon. Member for Lambeth has said that he had never felt comfortable in that House because he knew that he did not represent the minority in his constituency. It was, however, the hon. Member's business to represent the minority, and the minority would consider the hon. Member wanting in his duty if he did not represent them on every question which came before Parliament. Not only ought he to do so, but he could not help doing so; and the hon. Member acknowledged the influence of that minority in his arguments and in his conduct in that House. It was taken for granted in all these arguments that the minority and the majority were two bodies which must be in stereotyped antagonism on all subjects, and that the one had no sympathy with the other. The minority were supposed to represent the intelligence of a constituency, and the majority were taken to represent numbers or brute force. Was that so in every case? It was not, because the intelligence of a place, if it were worth anything, always divided the numbers. If the educated class chose to withdraw from political contests on acount of fear, sloth, or luxury, it did not deserve to possess political influence, and he would make no alteration in the old principle of election in order to meet such a case. He could not help thinking that in all these arguments each man had his mind fixed on a particular case, and that they were losing sight of the great principle which had always guided the representation of conflicting opinions in that House. The hon. Member for Lambeth (Mr. Hughes) had said that if the principle he advocated were adopted, the interest of the different classes of the people would all be enlisted in the conduct of the affairs of the Empire, and that thereby men of leisure and fortune would be withdrawn from the pursuits of the turf, men of the middle class from the pursuit of money-making, and the poorer class from their addiction to gin. Now, to induce the rich to take a part in politics as a class of themselves, separate from the poor, was not a good mode of proceeding; and it would be better to make the rich feel a common cause with the poorer classes. As for the poor, they formed no opinions on most political questions, but generally followed leaders; and those were the very men whom it was proposed to separate as a minority distinctly by themselves, and who ought to be the very persons to influence the poorer classes to give them their votes. The right hon. Member for Calne had stated that he did not want to give minorities protection, but equality; and when the right hon.

Gentleman was able to square the circle he would be able to give equal value to majorities and minorities at elections in a free country.

MR. FAWCETT said, that those who intended to support the proposition of the right hon. Member for Calne might feel somewhat inspirited by the speech they had just heard; for if they judged from past events, they might fairly conclude that the opposition of the right hon. Gentleman simply indicated that at the conclusion of the debate the Chancellor of the Exchequer would give the proposition his warm and cordial support. The right hon. Gentleman (Mr. Adderley) seemed greatly distressed because the proposition was new. Of course, the supporters of the clause felt sorry to trouble those who were harrassed by the cares of political life with new propositions; but they could not help feeling that many things which were very new were very true, important, and well worthy of consideration. The right hon. Gentleman said it had been a constitutional principle that communities should be represented, and he (Mr. Fawcett) supported the proposition of the Member for Calne, because he wished to see communities as far as possible represented, and he could not see how it could be maintained that they were represented at present. Take the case of a large constituency of 20,000 electors, returning three Members; and because there happened to be 11,000 Liberals and 9,000 Conservatives, or, *vice versâ*, the majority was represented by three Members, while the rest of the constituency had no voice or power whatever. Then it was said by the hon. and learned Member for Plymouth that those who supported the proposition assumed that the minorities to whom they sought to give some power were superior in intelligence to the majorities. The hon. and learned Member had no right to say that they had made such a proposition. He would admit that every elector had exactly the same amount of intelligence, and gave an equal vote; and if they started with that supposition it strengthened their proposition that the majority should not overwhelm the minority. Those who were endeavouring to improve the representative system must base their efforts upon the principle that a representative body ought as far as possible to represent all sections and all classes in the country by the ablest and most independent men. It was because he cherished that principle that he had supported and should continue to support every proposition which was calculated to reduce election expenses; for unless something was done to reduce those expenses they could not have communities so represented, but they must have another qualification; they must have men who were also rich, as no poor man would then be able to obtain a seat in that House. It was sometimes very erroneously supposed that it was their wish to give a minority as much power as a majority. That he altogether denied. He would never support a proposition which by any dodge or artifice should seek either openly or covertly to give the minority as much power as the majority. He had never concealed that he was a friend of democracy; but when he said that he favoured democracy, what did he mean? He looked upon a pure democracy as one in which everyone had an equal opportunity of exercising political influence and political power, and he did not look upon a society as being a true democracy, but, on the other hand, as an unfortunate oligarchy, if the majority had the power of exercising its will by trampling upon the minority, and of exercising its power unchecked, unrestrained, and unchallenged by the opinions or votes of the minority. It was sometimes said that if the minority was stifled in one constituency it was represented in another; that if, for instance, the Conservatives were outnumbered in Marylebone, that was compensated for by the Radicals being outnumbered in Suffolk. But that was no compensation whatever. What those who had advocated an extension of the franchise wished was to interest the greatest number possible in the political life of the nation. The State was harmed, and individuals were injured, if, from any circumstance whatever, persons were forced out from active interest in political life; and it was a great misfortune that from Conservatives being outnumbered in one constituency, ane Radicals in another, those minorities should think it was of no use to exert themselves in political contests, and therefore gave up political life as altogether hopeless. It was said that they ought to extend this principle to constituencies returning two Members; but that conclusion would not be logical, because by so applying the principle of cumulative voting they would give to the minority in those constituencies as much power as the majority. When, however, they confined the proposition to constituencies which returned three

Members, they by no means gave the minority as much power as the majority. The proposition did not represent minorities so far as he should like to see them represented; but a man was not a practical politician, but a visionary and enthusiast, if he refused something which he looked upon as very good because it did not do all that he would like to see accomplished. The proposition of the right hon. Member for Calne, so far as it went, would operate entirely for good, and therefore it met with his cordial support. In a practical nation like this they could only get a new and great idea accepted gradually, and after, by very careful experiment, its advantages had been proved. When the principle of representing minorities had been tried upon the small scale now advocated, the nation would gradually learn a valuable lesson, would step by step get hold of the advantages of this great principle, and would be prepared at last, perhaps twenty or fifty years hence, to give its sanction to some great philosophic scheme which would enable a pure democracy—and they were coming to a democracy—to work with all its advantages and counteract all its disadvantages. No one could doubt that some Liberals in that House were beginning to tremble at the extension of the suffrage which had been sanctioned, because, for what reasons he knew not, they were beginning to get into their heads that at the first General Election the Conservative party might be somewhat strengthened. Such considerations did not trouble him in the least. He could honestly say that whenever any proposition had been brought forward during these Reform discussions he had never been in the slightest degree influenced by the immediate effect it might have upon party prospects. He knew that those effects were temporary and evanescent. He knew that the suffrage would act as a great agency of education; and that if they could educate the people more they would be much more likely to support those political principles which were true. He believed that his principles were true, and that therefore they would ultimately get more and more support, but if on the contrary they proved to be false, he was confident that the improved education of the people would detect their errors. He longed to see that House, as far as possible, the mirror and image of the political opinions of the country. He was certain that if they had a fair representation of minorities they might then have with safety a much wider extension of the suffrage, because if minorities were represented every opinion would then be fairly discussed, every side of a question would be advocated by able men, truth would then be victorious, and the will of the majority would predominate, not by trampling upon and despising the minority, but by giving to every class of opinion its fair, its just, and its proportionate interest.

Mr. NEWDEGATE said, that both he and the hon. Member for Birmingham in one sense represented the same constituency, though entertaining widely different opinions on several subjects; and, although as a Member for the county in which Birmingham is situate, he did not claim to represent Birmingham as fully as the hon. Gentleman, his partly doing so might be taken as an example of the manner in which the Constitution had carefully provided for the representation of minorities already. The circumstance which gave extra importance to this motion was the fact that they were preparing to diminish not only the number but the representation of small boroughs. He voted for the Amendment of the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee), and he joined in the opinion that they would see the representation of small constituencies gradually extinguished or very much diminished. It was, then, in consequence of the decision to which the House had come, of extreme importance that they should secure an equipoise in the constitution they had framed for the majority of the constituencies of England and Wales. Upon the bearings of democracy no man had written more intelligently than M. de Tocqueville. He would show how clearly de Tocqueville saw danger from the want of some such counterpoise in the Constitution of the United States which he so much admired, and how he foresaw, also, the danger which England would have to guard against. He hoped the Committee would forgive him for quoting the following passages from the *Memoirs, Letters, and Remains of Alexis de Tocqueville.* In one of his letters upon the Government of the United States, de Tocqueville said—

> "Democracy, in short, seems to me to be a fact which the Government may hope in future to regulate, but not to reverse. I assure you that it was not without difficulty that I resigned myself to this idea. My view of this country does not prove to me that, even under the most favourable circumstances, and they exist here, the Government of the people is a desirable event. All are pretty well agreed that in the early days of the

Republic the statesmen and members of Congress were much more distinguished men than they now are. They nearly all belonged to the class of country gentlemen—a race which diminishes every day. The country no longer selects so well. It chooses in general those who flatter its passions and descend to its level. This effect of democracy, joined to the extreme instability, the entire absence of coherence or permanence that one sees here, convinces me every day more and more that the best government is not that in which all have a share, but that which is directed by the class of the highest moral principle and intellectual cultivation."

Then what did he say about England? He would read an extract from Mr. Senior's Journal, and under the date Feb. 24, 1854, M. de Tocqueville said—

"I am alarmed by your Reform Bill. Your new £6 franchise must, I suppose, double the constituencies. It is a further step to universal suffrage—the least remediable of institutions. While you preserve your aristocracy you will preserve your freedom. If that goes, you are in danger of falling into the worst of tyrannies—that of a despot appointed and controlled, if controlled at all, by a mob."

He had read those two passages to show that, in giving the vote he had done, his eyes had been open to the possible consequences. He was, however, induced to hope that the Committtee would entertain and accept the proposal of the right hon. Gentleman the Member for Calne, because, if they adopted it, the experiment of cumulative voting might be tried on a limited scale in the same manner that three-cornered constituencies were tried by the Act of 1832. The hon Member for Plymouth said, that the principle of representation in this country always had been that communities should be represented, and based his argument upon that principle, contending that, no matter how large the constituency nor how many the representatives, the majority—that was to say, a section only—of the community should be heard in that House. In his opinion that was not a sufficient representation of a large community, but only of a section of the community; and in proof of that he reminded the Committee that, it was only by means of notorious corruption, or by their Members being frequently returned, avowedly as the nominees of great landowners, that the minorities had up to this time preserved some share of representation in the country. Now, however, in consequence of the progress of events, the change of circumstances, and the spread of education, the country revolted from the coarse means of bribery, corruption, and nomination to which the minorities had been driven in order to obtain a share in the representation by means of these small boroughs. These small constituencies were gradually vanishing, and with them was vanishing one of the elements of the representation of minorities. Seeing that such a result was inevitable, and adopting the opinion of de Tocqueville that democracy might be regulated, but not reversed, he tendered his thanks to the right hon. Gentleman the Member for Calne, who, having defended the small boroughs with an ability which all had acknowledged and with a courage which all had admired, now tendered this scheme for the preservation of their action upon the representation of the country, which had formerly been beneficial. It had been objected that, applying the principle of cumulative voting to the three-cornered constituency of Birmingham, the vote of one of the two Members returned by the majority would be neutralized by the vote of the one Member returned by the minority. He thought that the majority in Birmingham should be satisfied by being represented by two to one. He believed that the argument of the hon. Member for Lambeth was well founded, and that the minorities in the large constituencies were too important to be overlooked. Seeing that so many hon. Gentlemen were anxious to address the Committee he would say no more than that he would accept the proposal of the right hon. Gentleman, which seemed an improvement upon that which was made by the Government of Lord Aberdeen, and which had the sanction of Earl Russell, Lord Palmerston, and Sir James Graham; and he hoped that the Committee would adopt it as a further experiment in the direction of that which created the three-cornered constituencies by the Act of 1832.

MR. BRIGHT: I think it is an unfortunate thing for the right hon. Gentleman who brings this proposition forward that all those who are in its favour do not appear to exactly approve it. Neither the hon. Member for Plymouth who spoke from the seat below me, nor the hon. Member for Brighton appear to regard the question in the same light as the right hon. Gentleman the Member for Calne does; and they utterly repudiate his frank admission that the principle of his proposition is applicable to a further and a wider field than the few constituencies which will return three Members to this House. It is also a thing to be observed and noticed particularly that this proposition is introduced to the House by a Member whose course during the last and the present Session on the question of the extention of the suffrage has been very marked and very consistent. He has, in language of a most agonizing entreaty, urged the House to avoid the abyss of ruin into which Lord Derby and the Chancellor of the Exchequer have been inviting their supporters to follow them. The right hon. Gentleman is quite consistent, he has the greatest right to hold the opinions he does, and I am not saying a word to depreciate him in this matter. I think the course he has taken is the one which he might have been expected to take. I think it might also have been expected that hon. Members opposite, who are supposed to coincide in opinion with the noble Lord the Member for Stamford, should follow the lead and support the proposition of the right hon. Member for Calne. I am, however, very much surprised that any Gentleman on this side of the House—more especially the hon. Member for Brighton, who utters declarations in favour of democracy from which I should shrink—should get up in his place to support a proposition which I will venture to say is the most violent attack upon the principle of representation in this country that has ever been made in this House. I find that there is a great disposition in favour of new-fangled propositions in some minds. For my own part I have no sympathy with them, and I never had. I have always invited the House, in dealing with this Question, to march along the ancient paths of the Constitution, and I believe that in the proposition to which this House has now mainly agreed, as far as the suffrage is concerned, the Government and the House have hitherto marched along those paths. Let us recollect what the right hon. Gentleman said last night, and I beg hon. Gentlemen on both sides of the House to bear it in mind. The right hon. Gentleman told us what a terrific state of things we were approaching, and he begged the House, as its last and only chance—he spoke of this proposition as being the last arrow in the quiver—to avoid the ruin towards which we were rushing, and then what does he do? He proposes a scheme which will only apply to eight or ten constituencies, in the majority of which the hon. Member for Plymouth says the desired result is already attained. He hopes that the House will accept this mode of arresting the danger; first of all assuming that the danger is so great, and then assuming that his remedy will avail. Why, if a man abstracted a snowball from an avalanche, would that prevent the danger or destruction that was impending? Bearing in mind the probable effects of this Bill, assuming, if you like to assume it, that the fears of the right hon. Gentleman as to the Bill have any real foundation—the proposition itself, I say, is one of the most puerile and insignificant, and utterly worthless for the object in view. If the House is mistaken in the step which it has taken with regard to the borough franchise or to the county franchise, for this proposal, I take it, is to affect counties as well as boroughs, let the House review its course and amend it. For my part, I believe the longer the House of Commons is in existence the more will it be confirmed in its opinion that the course it has taken with regard to the franchise has been a wise one; and probably, under the circumstances in which we were placed, it was a course which could not be avoided. Hon. Gentlemen speak as if, hitherto and in future, minorities had and will have no chance. Now, let every Member of the House ask himself whether it is not the fact that hitherto the minority in this country has had far more than its fair share of representation? Is it not true, also, that under this Bill, taking your whole system together, large boroughs, small boroughs, and counties, the minority in the country, even after this Bill passes, will have its full share of representation? It has been one of the general complaints of the country that the minority has ruled, through an unfair and improper representation in Parliament. I will undertake to say that there is no country where a representative system exists, that is free in its action—I mean free from the control of the Government—in which the minority is not sufficiently represented. The hon. Member for North Warwickshire, who claims to be in part a representative of Birmingham—and he is, of those Conservative electors of Birmingham who vote in the county which he represents—being, in fact, the representative of the very minority for for which he now seeks another representative—has quoted an opinion from a very eminent, writer on the subject of the United States; but there is not a point more conclusive against his argument that the present condition of the United States. There never has been a time in the history of that country when the minority in the House of

Representatives has not been equally proportioned at least to the minority out of doors. And as to what the hon. Member for Plymouth, who ought to know something about America, has said of this mode of election giving strength to the Executive Government, I venture to say that if the system of representing minorities according to the proposition now before the House had been established, and had been in existence during the late war, the United States Government never could have been borne up, as they were, by the entire people, and never would have possessed power sufficient to suppress the desperate rebellion in the Southern States. Every American knows that well, and every Englishman ought to know that anything which enfeebles the representative power, and lessens the vitality of the electoral system—which puts in the nominees of little cliques here representing a majority, and there a minority, but having no real influence among the people—every system like that weakens and must ultimately destroy the power and the force of your Executive Government. I do not deny that this proposal may be worth discussing; but as I heard the right hon. Member for Calne last night, I thought it exactly that sort of subject that one would hear discussed at University College Debating Society, or which would probably be discussed in the debating clubs of Oxford and Cambridge, but which has not sufficient claim to much consideration in Parliament. Now, what is it that the gentleman who propose this system admit? They admit that in all large boroughs to which you give three Members it would make the return absolutely certain before you went to the election at all. The hon. Member says it would be no grievance to the constituency of Birmingham that it should have two Members on one side of the House and one upon the other. [Mr. NEWDEGATE: I said there was a possibility of it.] Well, I will not speak of Birmingham but of other towns; and in which, as I collect from the statements of hon. Members favourable to this system, the result I have contemplated is inevitable. It is said that it will be no great grievance, because there will be two Members on one side and one on the other; but they will not be returned by fair election. If they were no one would complain. Nobody complains that the right hon. Gentleman the Member for South Lancashire was elected to sit on this side of the House, and that the two gentlemen who are his Colleagues sit opposite to him. But suppose that, without a contest, he were returned, and continued to be returned on all occasions by a minority, to neutralize by his vote one of the other representatives, leaving that great division of the county to be represented practically and insufficiently in the lobby by one of its Members. I think that would be one of the most ridiculous propositions that ever was offered to Parliament. If that system be established, it is quite plain that contests will be at an end. In South Lancashire, at the last election, the Conservatives proposed three candidates; and on our side we proposed three. There was a very active canvass, great debate and discussion of all public questions, and the discussion did much to teach all parties something of the state of the country. The result was that two gentlemen came to your side of the House and one to this. But suppose the system now proposed had then been in operation. Everything would have been known beforehand; we should have known perfectly well that we could not have returned more than one Member; your friends would have known that they could not carry more than two, and the result would have been that the two committees would have met and decided upon their respective candidates; these would have been proposed at Newton-on-the-Willows and elected, and the population of the county would have known almost nothing about it. I must say that a principle can hardly be devised more calculated to destroy the vitality of our elective system, and to produce stagnation, not only of the most complete, but of the most fatal character, affecting our public affairs. The right hon. Member for Calne, whom we cannot but admire, because he is not afraid of his position or principles, says that the system would act equally well in places where there are only two Members. It has been admitted by the Members for Plymouth and for Brighton that the system would end in one Member being returned by the majority and one by the minority. Why not put a clause into our Acts of Parliament, enacting that the Liberals shall return one Member and the Tories another? Then the Tories could meet and return their Member, and the Liberals could meet and return their Member. Then this House would meet with an equal proportion of Members on either side, and I suppose we should always appeal to Mr. Speaker to decide what the House intended to do. There is only one mode of excluding the minority from its rightful power, assuming that you give the suffrage pretty widely through the country, and that would be if your whole constituency was one constituency. If in this country, for instance, all the electors of the kingdom were upon one list of electors, and all the 658 Members were to be elected by them, then you would have one great ticket as they have in America, only fifty times as long ; a list proposed upon one side, and a list proposed upon the other, and the majority would of course sweep away the 658 put forward by their opponents. In that event clearly the minority would be altogether unrepresented. But that is not the case here, it is not the case in the United States, it is not the case in Switzerland, nor anywhere else where the representative system exists. At present the minority of one set of politics in a particular borough are generally represented by the Members returned by the majority in an adjacent borough. I will take Liverpool and Manchester. The Members for Liverpool are Conservatives ; the representatives of Manchester have been Liberals generally; though at this moment the return is rather equivocal. But the minority in Manchester has always had its case fairly stated by the representatives of the majority in Liverpool. If you look over the list of all our constituencies from the time of the Reform Bill, with the exception of those dead boroughs to which the hon. Member for Warwickshire objects—it would seem equally with myself—and of counties which are not free, I think it will be found that constant changes have taken place, of a healthy character, and tending to the instruction of our people in all our national affairs. The right hon. Member for Calne, I think, should have given us more figures, and shown us how his plan would work. I will take the case of the City of London. It returns four Members, and I will assume that it has 20,000 electors ; I do not know the proportions ; but assume that it has 12,000 Liberal and 8,000 Tory electors, and that all these voted in straight lines for their own candidates ; it is not usual, I know, but I will assume it for the sake of argument. These 12,000 Liberal votes would enable that party to give 48,000 votes, divided among their four candidates. The Tory party, on the other hand, knowing their numerical inferiority, would probably put up but one candidate, and for this one representative they would be able to poll 32,000 votes, and the man who represented the minority would be a very long way a-head on the poll. Some time ago, I was illustrating this matter for my constituents in Birmingham, and I said the plan looked to me like that species of entertainment, a donkey race, where the last is destined to win. But suppose the Liberals in the City of London only brought forward three candidates, and the Tories ventured on putting up two ; each side would then have 16,000 votes, if they were all equally divided according to the respective parties, and if only one more vote were lost to the Liberal side through splitting than was lost to their opponents, the Tory minority would be enabled to return two Members. For a man like the right hon. Member for Calne, who has a natural, and acquired, and confirmed horror of anything revolutionary, to make a proposition like this does appear to me extraordinary and somewhat inconsistent. He thinks probably that his scheme would protect constituencies from the sudden changes of opinion of which he is apprehensive. But looking to the past, can anything be more gradual than the changes which have taken place ? How long did it take the Tory party to win over the majority in South Lancashire which we obtained in the Free Trade struggle ? How long will it take us—or how long would it have taken us but for this Bill—to recover the ground we have lost ? Why, all these changes take place commonly in the most gradual manner, and nobody can ever see that there is any great and sudden change in this House arising from a great and sudden change in the constituencies. Great changes no doubt happen from other causes, and indeed we are witnesses of one this Session. There is the right hon. Member for Calne, who with his jealousy for the Constitution offered the most obstinate opposition to the proposals of last Session, and who nevertheless has been, as we all know, one of the most potent influences in producing this great change. But great as that change is, and much as he may deplore it, in all probability we may find it has been of very great advantage to the country, and of singular advantage to hon. Gentlemen opposite, as they will, I am sure, if they live, have reason to know. The Chancellor of the Exchequer has already stated in very distinct terms his views of these new-fangled propositions. They are the propositions of men who either, like the right hon. Member for Calne, feel great alarm as to the Bill to which we have agreed, or who propose to go to some unknown length with the hon. Member for Brighton. Now I object to offer my children or grandchildren, be they electors or Members of the House, inducements to go into schemes of that kind. I think we had better do what is the duty of our day with regard to the matter before us, and leave those great changes to which the hon. Gentleman has pointed to be made—if they are necessary—by those who may come after us, and who may have seen the failure—if it be a failure—of the measures which we are now engaged in passing. I believe that as regards the object of the right hon. Member for Calne this proposition is not worth a straw—it is not worth considering in that light, and I hope no Member will so consider it; but it would have the effect of destroying all that is living and energetic in the constituencies wherever it was applied, and it would, I believe from that cause be fatal to your principle of representation. Now if there be one thing in this country which, more than another, has been of service to our ancestors and of service to us, notwithstanding sometimes the brutality, often the venality, occasionally I am afraid too generally, the compulsion which is exercised upon electors—surely it is the freedom of our elections. Let us have laid down, as in a chart, everything that is bad concerning elections in this country, and still, after all that, I say there is an enormous balance of good to the people in the freedom and the life of our Parliamentary elections. Starting with that opinion, let us in a new Bill, establishing a broader system, at least find out that that system has these evils which are pointed to before we adopt a principle, which if you adopt it clearly cannot correct those evils, from the very small extent to which it is applied, but which may do much to destroy the life of our representation to which I have adverted; and which is of a thousand times more value than any of those peculiar crotchets and dreamy propositions which the right hon. Gentleman on my right, and the hon. and learned Gentleman on my left, have so strongly urged upon the Committee.

VISCOUNT CRANBORNE: The hon. Gentleman who has just sat down has appeared in a character which he has recently affected as a defender of the old ways, and a reverencer of our ancient Constitution. From his point of view I have no doubt he is right; but I believe no more dangerous error can be entertained by the House of Commons than to believe that you can withdraw one-half, and more than one-half, of the elements which constituted our ancient Constitution, and that then you can, on the plea of Conservatism, adhere to the rest and believe that they will bear the fruit which they bore in old times. Our Constitution was monarchical; it was aristocratic; it had, also, a large tinge of democracy; but speaking practically, the monarchical principle has died. The aristocratic principle you are now sentencing to death; the democratic principle you propose to leave alone, unchecked by the elements which existed before; and then, in urging us to retain it unchanged, you claim for it the sanction which descends from the experience and wisdom of our ancestors. You must make up your minds, if you will have one thing new, to have many things new—new things to correct the innovations you have introduced. We want a new principle which shall be strong enough to counteract the overwhelming weight you have given in contradiction to all the old traditions of the community to one particular class in it. I claim the hon. Gentleman's own testimony to this point. The experiment on which we have been invited to enter, with very little deliberation and preparation, but apparently on the simple principle that it is the business of those who are in office to outbid what they resisted in Opposition—the change proposed is absolutely new. Do not appeal to the United States or to Switzerland. The hon. Member for Birmingham, in more genial moments, in another place, admitted that the United States furnished no precedent whatever for the gigantic change which you are now proposing to introduce. Deeply as the views of the hon. Member impressed me, I cannot quote him accurately from memory; but I believe that I am right in saying that the franchise in England, which this Bill proposes to introduce, is, by the admission of the hon. Gentleman, for all practical purposes, lower than the franchise which exists in the United States. The experiment, then, is absolutely new. Where will you look for its like? Do you look to the States of antiquity? The existence of slavery made the difference absolutely vital, because it withdrew from the rights of citizenship a large mass of the labouring class. There is no State in Europe, in the present or in the past, which has tried the experiment on which you are entering now. It may be all prosperity before you; it may be that you are opening a new road to power; it may be that it is a mine of wealth, and honour, and strength, which you have suddenly discovered; but do not deceive yourselves as to its being new. There is nothing in old time or in the present that is in the least degree like to it; and you will be acting the part of madmen if you refuse merely on the ground of novelty to entertain propositions that are calculated to neutralize some of the evils that may be apprehended from the experiment on which you have entered. The hon. Member for Birmingham found it convenient for the purposes of his argument to refute what it is not proposed to adopt. He went mainly upon the question of what would happen in two-Membered constituencies. Mr. Bright said this was only part of his argument. Perhaps the hon. Gentleman does not remember the effect his eloquence has produced, but he went upon the question what would happen if you applied this principle to double constituencies. I do not look at it in the least in that light. I acknowledge that the immediate effect of the adoption of the principle would be comparatively trifling; but now that you are engrafting upon the Constitution what is, to all intents and purposes, a new principle in the democratic sense, I wish you to engraft a new and protecting principle in a sense Conservative of your old Institutions. It is perfectly true that its immediate operation would be small, but remember that you are in the presence of two great changes of different characters. We have passed this Session—to all appearance it is likely we shall adhere to it—an enormous reduction of the suffrage. At the same time, by a sort of compromise between certain hon. Gentlemen opposite and the Gentlemen on these benches, we are adhering to a system of distribution of electoral power, which is as much out of harmony with the suffrage you have introduced as it is possible for anything to be. Well, I do not for a moment believe that the keen and prescient mind of the Chancellor of the Exchequer thinks that that compromise will last; but it does very well for that purpose which so many of his propositions have served—it serves for a time to draw into the lobby the somewhat—credulous shall I say?—Members who have hitherto supported him. They believe that for the excess, as they think and as I think, of the alteration in the suffrage they are receiving a compensation in the limitations imposed upon the change of seats. Now, I utterly disbelieve in that security. I know that when you have once introduced household suffrage, when you have once applied to these small boroughs, a qualification which will admit to the franchise the very least cultivated and most dependent of the community, no future Parliament can sustain the small seats which you are now sedulously preserving. I ask you to look to the future. Let not the House be deceived by the glamour which the Chancellor of the Exchequer throws over his own party. We know that these things will be changed, and I want to look forward and ask what is to happen then? We shall be asked, as we have been asked with justice, to increase the number of Members given to large constituencies; and the point you have now to decide by your votes upon this proposal is, whether these seats shall go to increase the already overgrown and exaggerated strength of the numerical majority, or whether they shall serve as instruments to ensure that which all representative systems should aim at—a perfect representation of all classes of the community? The wealth, the intelligence, the energy of the community, all that has given you that power which makes you so proud of your nation, and which makes the deliberations of this House so important, will be numerically, under this new constituency, absolutely overmatched. It may not be at first that that result will be felt. Time will be wanted to enable the new electors to organize themselves; but sooner or later you may depend upon it, there will arise questions upon which the interests of employers and employed are in hostility and will clash. There are questions which cannot be decided by arbitration, which cannot be adjusted by any appeals to equity or to any argumentative principles. There are questions which must be decided by nothing else but political force; and in that conflict of political force you are pitting an overwhelming number of employed against a hopeless minority of employers. That is the future which you are preparing for your country. I entreat you not to look to your immediate interest, not to think of a Dissolution which may be imminent, not to ask yourselves what this or that election agent may say, but, taking a wide view of the position of this community, ask yourselves what is the attitude in which the social facts, as they exist, are likely to place the opposing parties in the State? I ask you to decide now whether you think such a state of things, in which the employed shall be in such a superiority that the employers shall not even have a hearing, will in your opinion be to the interest of the community? It seems to me that if we are accused of asking for the undue representation of minorities, the nature of our demand is entirely misunderstood. We are merely asking you to efface that unreasonable disadvantage of minorities which your peculiar institutions impose upon us. You divide the whole minorities of the country, but if you put them together they are numerous enough to demand at least a very considerable representation in this House, if representation is to be the true image of the represented. But taking these minorities one by one, pitting 500 here against 600 there, and 5,000 here against 6,000 there, you obtain a result in which the House of Commons, so far from representing truly the community at large, will only represent the overwhelming power of those who may be in the majority. It is said sometimes that it is the natural right of the majority to rule. It is the natural right of an overwhelming majority to rule; but you must remember that every minority has resources and natural rights of its own—it has immunities of position, and circumstances of opportunity, and leadership, which give it advantages in the struggle of which it is utterly deprived when you take it to the polling booth. It is to prevent that great evil—that those who form a considerable part of the constituency should yet, by reason of being a minority in each, be unable to obtain an adequate hearing in the House of Commons—that we entreat you to entertain the principle which the right hon. Member for Calne proposes—a principle which, although small in its immediate effect, is great in its ultimate results. We are accused on this side of struggling for privilege and prerogative. The time for that is long gone by, and the asssertion is a mockery. We are pleading for simple freedom, and are only asking that, in the unknown future to which you are hurrying, this absolute subjection to a class never yet intrusted with political powers, this entire absorption of the destinies of the country in the will of those who have been little instructed and directed—of those who have little of that political practice which should induce them to direct it upon right motives—we ask you that we should not be utterly effaced, that we should still have, at least, the power of pleading our own cause in the face of those who will be our masters; and that you should not, because you have chosen to introduce this large and excessive measure of enfranchisement of the lowest class of the community, absolutely disfranchise and reduce to political insignificance and extinction the classes who have hitherto contributed so much to the greatness and prosperity of their country.

MR. J. STUART MILL: I hope my hon. Friend the Member for Birmingham will forgive me if the highly Conservative speech which he has delivered, almost the first which I ever heard him deliver with which I could not sympathize, has not converted me from the eminently democratic opinions which I have held for a great number of years. I am very glad that my hon. Friend stated so candidly the extremely Conservative vein of thought and tone of feeling which is the foundation of his political feelings. It is true that it is almost as opposite a frame of mind from my own as it is possible to conceive; but, fortunately, in the case of most of the practical questions that we have to decide we draw nearly the same conclusions from our so different premises. Nevertheless, I am extremely glad that my hon. Friend has shown that it is upon the principle of standing by old things, and resisting newfangled notions, that his antipathy to the proposal of my right hon. Friend the Member for Calne, which I most strongly support, has been derived. It is the less necessary that I should address the House at any length upon this question, because on a previous occasion I expressed myself strongly in favour of the principles upon some of which this Motion rests, and expressed my strong sense of the necessity for a change in our mode of election, directed in some degree to the same ends as those pointed out by this almost insignificant makeshift—a makeshift not, however, without considerable real efficacy, and resting in part upon the same principles upon which Mr. Hare's system of personal representation is founded. There are two principles which we must mainly regard. In the first place, it appears to me that any body of persons who are united by any ties, either of interest or of opinion, should have, or should be able to have, if they desire it, influence and power in this House proportionate to that which they exercise out of it. This, of course, excludes the idea of applying such a system as this to constituencies having only two Members, because in that case its application would render a minority of one-third equal to a majority. The other principle upon which I support the representation of minorities is because I wish—although this may surprise some hon. Members—that the majority should govern. We heard a great deal formerly about the tyranny of the majority, but it appears to me that many hon. Gentlemen on both sides of the House are now reconciled to that tyranny, and are disposed to defend and maintain it against us democrats. My own opinion is, that any plan for the representation of minorities must operate in a very great degree to diminish and counteract the tyranny of majorities. I wish to maintain the just ascendancy of majorities, but this cannot be done unless minorities are represented. The majority in this House is got at by the elimination of two minorities. You first eliminate at the election the minority out of the House, and then upon a division you eliminate the minority in the House. Now, it may very well happen that those combined minorities would greatly out-number the majority which prevails in this House, and consequently that the majority does not now govern. The true majority can only be maintained if all minorities are counted; if they are counted there is only one process of elimination, and only one minority left out. Perhaps I may be allowed to answer one or two objections which have been made to the proposal of my right hon. Friend. The right hon. Gentleman the Under Secretary for the Colonies urged that, according to our constitution, representation should be by communities, and upon that subject he said several things with which it is impossible not to agree. But it seems to me that this is one of many remarkable proofs now offering themselves, that hon. Gentlemen opposite, not content with coming to our opinions, are now adopting our arguments. For instance, the right hon. Gentleman insisted upon the greatness of the mistake of supposing that the country was divided into a majority and a minority, instead of into majorities and minorities. I have said that myself I should think at least 500 times. The right hon. Gentleman said one thing that perfectly amazed me. He said, as we all admit, that it was wrong that the representative of any community should represent it only in a single aspect, should represent only one interest—only its Tory or its Liberal opinions; and he added that, at present, this was not the case, but that such a state of things would be produced by the adoption of this proposal. I apprehend that then, even more than now, each party would desire to be represented, and would feel the importance of getting itself represented by those men who would be most acceptable to the general body of the constituency; and therefore on all other points, except that of being Liberals or Tories, those Members would represent the constituencies fully as much, if not more, than they do now. The right hon. Gentleman thinks that the local communities ought to be represented as units, but that is not my opinion. For example, the right hon. Gentleman would contend that if a Member were elected by two-thirds of a constituency he ought to sit in that House as representing the whole. If that were the case they would evidently pass for what they are not. I have no idea of Members sitting in this House as the representatives of mere names of places, or bricks and mortar, or some particular part of the terrestrial globe, in different localities. What we want is the representation of the inhabitants of those places. If there should be a place in which two-thirds of the constituency are Conservative, and one-third Liberal, it is a falsehood to contend that the Conservative Member represents the Liberals of that place. On the other hand, if there were three Members for such a place, two of whom represented the majority, and the third the minority, there would be a full representation of the constituency, and certainly a far more accurate representation than if a man returned by a simple majority assumed to represent the whole constituency. Another objection made and insisted upon by my hon. Friend below me, in one of the most eloquent parts of his speech, and in the spirit of which I quite agree, is that the effect of this system will be to put an end to contests at elections, and to all the instruction they afford, and all the public spirit and interest in public affairs which they excite. This appears to me to be an opinion, which only the extreme dislike that my hon. Friend professes for everything new in politics prevents him from seeing to be an entire mistake. The fault which my hon. Friend and others find with the proposed mode of election is one that is in an eminent degree attributable to the existing system; because under that system wherever it is known from the state of the registration that one side is able to return all the Members, the other side now take little or no interest in the election, and therefore it will be evident that if those persons who cannot be represented in their own locality cannot obtain a representation elsewhere, representation, so far as they are concerned, will be a perfectly effete institution. What is it that induces people when they are once beaten at an election to try again? Is it not the belief that possibly a change has taken place in the opinions of at least some of the electors, or that, at all events, there has been such a change in the general feeling of the constituency that there is some chance of their being returned, and therefore there is a sufficient motive to induce them to try again? But that motive never can exist under the present system where there is so great a discrepancy between the parties as two-thirds and one-third, because in no case can one-third of the constituency ever hope to convert itself into a majority. What motive, then, is there for trying? But under the new system, suppose the minority obtains one Member out of three, the minority can always try for the second seat, and precisely the same motive will exist if the parties should be nearly equal. Indeed, in such a case, the motive would be all the stronger, because then the majority will try to get all the members. What will be the case where there are three Members to be returned? The majority of two-thirds will only have two of the Members, and if any change in opinion takes place favourable to the minority they will always be in a position to bid for the third seat; so that I apprehend the healthy excitement of contest in an election, which follows from the existence of the motives which will induce persons to embark in the struggle, will be more certainly guaranteed by the more perfect represention of the constituency. It has been argued by my hon. Friend below me, and it has been several times insisted on by the Chancellor of the Exchequer, that the Executive will be rendered very weak by the adoption of this principle, and I must own that there is some truth and justice in that argument. But the House cannot fail to perceive that so long as you give to the minority the same power as is possessed by the majority, it is perfectly clear that there may be a large majority of the constituency in favour of the Government, while there may be no majority in the House. At the present moment we do not care what majority the Government may have in the country; all that we want is to prevent it having a large majority in the House. No one is more opposed to such a state of things than I am; but the practical application is, that we wish to prevent the Government having a large majority in the House, with a small majority in the country. That is the case in Australia, as was very strongly exemplified on the question of Free Trade and protection, and also in the United States, where there is a moderate difference in the constituencies between one party, and the other, but a very much greater difference in the House of Representatives. When the right hon. Gentleman says that this system will make a weak Government, my answer is that it is not desirable that a Government should be a strong one, if it rests on a small majority of the constituencies; nor is it desirable that a Government should be lured on and deceived by a great majority in the House; because a very small change in the constituencies would be sufficient to deprive them of that majority, and it is not desirable that the policy of the Government should be tumbled about from one extreme to the other when the opinion of the constituency is almost equally divided between the two parties. I quite agree with my hon. Friend the Member for Birmingham, that in revolutionary times it is necessary that a party should be as strong as possible while the fight lasts, since the sooner the fighting is over the better. But although in such a case there should be a decisive predominance, such times are exceptional, and circumstances do not apply which apply in ordinary and peaceful times. They are times for which we cannot legislate or adapt our ordinary institutions. Under such circumstances men may be obliged to dispense with all law, and, if necessary, to have a dictatorship in the hands of one man, but that is altogether an exceptional case, I am extremely anxious that the feeling should not get abroad, from the circumstance of the right hon. Member for Calne having brought forward this proposal, and from its being so largely supported by Gentlemen on the other side of the House, that this is essentially a Conservative "move," and is intended solely for the purpose of doing away, as far as possible with the effect of the Reform Bill now before us. I have always entertained these opinions, long before the introduction of this Reform Bill, and although I never supposed that I should see such a Reform as this adopted in my life, I have protested and reprobated oppression of this kind, on whichever side it has been practised. The only reason why it can be said that it is brought forward as a Conservative measure, and in aid of Conservatives, is that it really operates in favour of those who are likely to be weakest; it is those who are in danger of being outnumbered and subjected to the tyranny of a majority who are protected. I have always been afraid that the Conservative party would not see the necessity of these things until they actually saw that it is their interest, and that they would not see it until the power has passed away to the other side. Had they taken up the question four or five years ago they might by this time have made it the general opinion of the country, and have lead the masses of the people to be more just when their time came than they have been to them. Their eyes are not so soon opened to those things which appear to be against them as they are to those that are in their favour; but there are minds on the other side of the House quite capable of seeing the value and importance of the principle, and of representing it with such effect that ultimately the principle of the representation of minorities will be generally adopted.

MR. HENLEY said, that having represented what was called a unicorn county for many years, and having been actively engaged in election matters connected with it, his attention had been directed not a little to the subject under discussion. He hoped therefore that the Committee would excuse him if he made a few remarks on the proposal of the right hon. Member for Calne. That right hon. Gentleman asked the Committee to support the proposal—first, on account of its justice; next, to consider it generally in point of political expediency; and thirdly, specially as regarded the present aspect of affairs; and that, he admitted, was not an unfair way of putting the case. The right hon. Gentleman appeared to have laid down very curious grounds of justice. He said that a man who had three candidates to vote for should have three votes, and the man who had one candidate should have only one vote. That appeared to be the oddest way possible of arriving at the justice or the injustice of the case; because the minority had only to put up two or three candidates, when the injustice would be immediately repaired, and he would have his three votes as well as the former who had three candidates to vote for. If there were better grounds for basing it on justice or injustice the right hon. Gentleman would not have failed to have stated them. It was said that if the new principle was worth anything, it ought logically to be established universally; but the learned Professor the hon. Member for Brighton had very clearly pointed out that it was impossible it could work in constituencies which returned only two representatives. If that were so, to what narrow ground was not the proposal reduced. The right hon. Member for Calne, indeed, and his noble Friend below him, had argued in favour of it, because, in their opinion, it would tend to redress the evils—the right hon. Gentleman spoke even of ruin—which they apprehended as likely to arise from the vast influx of democratic power by acting somewhat as a balance; but let the Committee examine for a moment what it was that was going to produce such a marvellous result. Why, the proposal would not apply, he believed, to above a dozen constituencies in the whole country, and how would it operate even with regard to them? Four or five of them were boroughs which did not at present return Members who were all of one way of thinking; and in the counties, to which the proposal would, for the most part, apply, and which, in the majority of instances, now returned Conservative Members, the probability was that the minority would be strengthened by the influx of Liberal voters under the new state of things. That, therefore, which might be gained in the boroughs would be lost in the counties, and he could not see how practically the proposal could have any appreciable effect on the result of elections. He was, consequently, unable to realize the great effects which the right hon. Gentleman and the noble Lord (Viscount Cranborne) appeared to anticipate. As to the matter of justice, assuming there was a difference of opinion in the constituencies so great as that one-fourth were in the minority, the effect of it would be that that minority would command a Member. In a constituency consisting of 20,000 electors, in which the majority might be 11,000 and the minority 9,000, it was not an improbable thing to happen that the majority might be unwise enough to put up three candidates and the minority only two, and then the result would be, under the system of cumulative voting, the minority would return two out of the three Members. Now, he asked, was it just that one-fourth of a constituency should possess one-third of the representation? He did not object to the proposed system because it was new, but those who proposed ought to show it would be beneficial some way or other. He did not believe that it would have the slightest beneficial effect in checking that influx of democratic principles which it was proposed to remedy; and that being so, why should he sanction a principle which those who had introduced it said could not be generally applied? He thought it would be unwise in them to adopt hastily a system of which they had no experience, for he believed there was no place in the world where it had been tried. On these grounds he should vote against the proposition.

SIR T. F. BUXTON said, he had no want of confidence in the future constituencies, such as had been stated on all occasions by the right hon. Gentleman the Member for Calne. He considered, however, that although the principle of cumulative voting might make no difference in the balance of parties in the House, it would, on the other hand, effect a considerable difference, and a beneficial one, in the composition of parties out of the House.

THE CHANCELLOR OF THE EXCHEQUER: I am surprised that my hon. Friend the Member for Cambridge should complain that I have not taken part in the debate. Considering that my hon. Friend rose at the commencement of the sitting to-day, and that the debate only commenced late last night, I think my hon. Friend was rather unjust in his comments. It is not usual that those who occupy the position which I at present hold should rise immediately after the commencement of a debate; but it is in fact, one of our duties to await the expression of opinion, and though this is a subject on which I was anxious to hear the opinions of hon. Members, my own has been already declared. It was therefore in every way unnecessary that I should offer to address the House early in the debate. My hon. Friend the Member for Cambridge seems to think that I ought to take a line on this subject which would be favourable to his retaining his seat in the next Parliament. Now, my opinion of him is so high that I have no doubt, whatever line I may take on this question, and whatever may be the result of this debate, my hon. Friend will find his way into this House again. I must, however, protest against the doctrine that for the reason he has brought forward, and on account of his alleged extreme youth, of which he seems extremely proud, I am to shape the remainder of my career, whatever it may be, in order to insure to him a brilliant future. The Motion of the right hon. Member for Calne, if we look to its application, is really of no great importance. Nothing could offer a greater contrast than the largeness of its principles and the smallness of its application, but I will state at once that I am not favourable to the adoption of a principle which involves so vast a change in our electoral system, though it is applied in a manner which may produce such slight consequences. Why run the risk of great changes if slight consequences only are to be produced? Why incur great danger for small results? There is no doubt, however, that the natural inference of every one would be, that if the principle, described to be so advantageous, is adopted, it must be applied in a greater degree than the right hon. Member for Calne proposes to our representative system, and, of course, to constituencies represented by two Members,—that is to say, not only to the majority, but to the vast majority of cases in our representative system. What argument have we heard against such a just and necessary application of the principle? One hon. Gentleman tells us that it would not be convenient; but the question is whether, if you adopt the principle, the argument in favour of its application in that way would not be irresistible. The hon. Member for Brighton is not favourable to the application of the principle to places represented by two Members, because he does not think that the minority in those cases ought to be represented. [Mr. FAWCETT: I said it ought not to be represented so much as the majority.] The object of the Amendment is that the minority should be represented; but if we are to be called on to decide how much of the minority is to be represented, the question becomes more complicated and difficult. If you adopt the principle of the cumulative vote —that is that a man should do what he likes with all his votes—you cannot confine the application of that principle to places represented by three Members. It is a good principle or a bad principle. If good, you must apply it to all constituencies; if bad, why apply it to any? That appears to me to be an argument unanswerable. And what would be the consequences of applying this principle generally as you would have to do either immediately or eventually? The result must be that you would effectually neutralize the great bulk of the representative system. By far the greater number of places in the country are represented by two Members; and, if you adopt this principle, the consequence is that opinion is neutralized in all those places. But what would be the further consequence? If all the constituencies represented by two Members are thus neutralized, it appears to me that the Government of the country would be thrown into the hands of those constituencies which are represented by only one Member each. In fact, the United Kingdom would be governed by Scotland. I am anxious to do justice to Scotland, and have brought in a measure founded on sound principles increasing the representation of that country; but if the clause of the right hon. Member for Calne should be adopted, I must beg to recall the engagement I have made with respect to the second reading of the Scotch Reform Bill this Session, because the House would have to consider the whole Scotch electoral system, in case the absolute control of the destinies of the United Kingdom is to be exercised by Scotland, with, perhaps, some assistance from Wales. In fact, the whole power of the Kingdom must, under the proposed scheme, devolve on constituencies each having only one Member and represented by Members with distinct opinions. All the other towns and counties of the country which have hitherto exercised some influence on public affairs would be perfectly neutralized and emasculated, and the sovereign Power of Parliament would be exercised by constituencies electing one Member, and would consequently devolve on Scotland and Wales. It may be said that if the principle be good, you must submit to all inconveniences and be prepared to act accordingly—that is to say, you must reconstruct the whole of your representative system. Now, I am not prepared on the 5th of July to ask the House of Commons to enter upon a campaign to carry out a system which is, as far as I understand it, alien to the customs, manners, and traditions of the people of this country. The proposal is opposed to every sound principle, and its direct effect would be, I believe, to create a stagnant representation, and a stagnant representation would bring about a feeble Executive. If the scheme should be applied to the vast majority of constituencies, almost all the representatives for the United Kingdom would be reduced to the position of nominees. They would not be elected by a free people in the light of Heaven, but would be nominated as much as were the Members for all those boroughs extinguished in 1832; and at a General Election you would be able to calculate with exact precision and painful accuracy on the return of Members elected by thousands of persons, just the same as you could formerly calculate on the return of the Members for Old Sarum and other similar boroughs. I think that this is not a course of policy which this House or the country will adopt. I cannot bring myself to believe that the country will adopt it; for it appears to me to be adverse to all the principal sentiments which animate a country like England. I have always been of opinion with respect to this cumulative voting and other schemes having for their object to represent minorities, that they are admirable schemes for bringing crotchetty men into this House—an inconvenience which we have hitherto avoided, though it appears that we have now some few exceptions to the general state of things; but I do not think that we ought to legislate to increase the number of specimens. The scheme of the right hon. Member for Calne is in harmony with all the opinions he has expressed for the last two or three years with much variety and vehemence. I can easily understand that he wishes to introduce a principle which, in his opinion, would bring about consequences different from those he deprecates. But let the Committee fairly understand the question which is before them. If they agree in the general opinions of the right hon. Gentleman on the subject of the representation of this country, then they may join in the campaign with him. If on the other hand hon. Members believe that the extension of the franchise which has been proposed is a wise and safe measure, they cannot, I think, support a proposition which, if followed out, will neutralize its good effects, and land this House in inextricable difficulties, and which I am sure will give no satisfaction to the public. These, Sir, are the schemes of coteries, not the politics of nations, and if adopted they will only end in discomfiture and confusion. My noble Friend the Member for Stamford (Viscount Cranborne) commenced his speech by drawing a very terrific picture of our present political position. He said, "Monarchy is dead, aristocracy is doomed, and democracy is triumphant."

Sir, I doubt the accuracy of these statements. I do not think that "monarchy is dead." The noble Lord has been a Minister of the Crown—a most able Minister of the Crown. He has been, from his high position, in very near relations with his Sovereign. I think his experience must certainly have differed from that of all his Colleagues if he found that during the time he was in office that "monarchy was dead." On the contrary, the Sovereign power has exercised that constitutional criticism in all departments of the State which I believe to be most salutary; and I am sure the noble Lord must have felt in all the questions submitted to him and his Colleagues there was no reason to believe that "monarchy was dead." Then, again, I do not think that "the aristocracy is doomed;" and so long as it produces men like my noble Friend it will be difficult for aristocracy to be doomed. And if it does not produce such men as my noble Friend, it will fall from no external assault, but from internal decrepitude. But, in my opinion, there never was a period in England when monarchy was more powerful, when the aristocracy possessed more considerable influence, and were in a position where they might more certainly increase that influence if they fulfilled their public duties. Then, is "democracy triumphant?" Democracy is not triumphant until this Bill is passed, even according to the right hon. Gentleman the Member for Calne. He has described our present political state as one of infinite beatitude. We all remember the description he gave of it. Therefore, democracy is not at present triumphant. But democracy is to be triumphant—and why? In what way is democracy to be triumphant, even if the measure before us passes? I wish, Sir, that some of these great lights would condescend to tell us what they mean by this terrible word democracy which they now introduce with such facility into our debates. Is it household suffrage? I suppose it is household suffrage. That is democracy. Well, there are 4,500,000 inhabited houses in England. I do not pretend to speak with severe statistical accuracy, but I think I do not make much of a mistake. Not more than a moiety of these, even if this Bill passes, will be inhabited by persons qualified to exercise the franchise. Then, if household suffrage be democracy, what is this all about? Why, in one portion of your constituency, in the boroughs of England, which altogether are represented by 334 Members, in the unjust manner I have often called attention to, there are altogether only 1,500,000 houses; and you are, in fact, extending that household suffrage, which has existed in this country since 1832, to a class which will probably increase your constituency by about 300,000 persons. ["No, no!"] No, no! I must express my opinion; I do not ask any one to adopt it if they do not believe it. It is my opinion that the increase of the constituency by the measure which has been brought forward and which being founded on this general principle, will give satisfaction, because every man will feel that if he deserves it he may obtain a vote, I say, practically, the increase will not be more than 350,000. [Mr. BRIGHT: In the boroughs]. Well, but last year, and the year before that, and five years before that, and three years before those five years—for fifteen or sixteen years, you have been blundering about this business, and making propositions in no one of which I believe you ever proposed less than the addition to the borough constituency of 200,000; yet, when you praised, if you did not vote for those propositions, you never believed that democracy was going to be triumphant in this country; but, now, because a measure is brought forward which is founded on some principle which does not say that a man shall not be a voter because he pays a few shillings more or less in the year, but founds the franchise on a principle in which there is certainty and safety; because it may probably increase that contemplated number by 100,000 or 150,000, we are told that "democracy is triumphant," and we are about to change the Constitution of England and all those principles on which our predecessors have exercised the noble franchises which have been bestowed by Parliament. I think that a most extraordinary statement to be made with reference to the present situation of affairs. And who are these people to whom you are offering the franchise — this limited number which is confined only to the boroughs of England; this principle not being applied to the greater portion of the country? They are Englishmen, who have been born and bred under the influence of the laws, the manners and customs and traditions of the country. [*A cry of* "Our own flesh and blood."] Far beyond "flesh and blood." Laws, customs, and traditions are far more effective. How then are we to believe these separate stories which are told about democracy being triumphant? I do not grudge the noble Lord, the right hon. Gentleman, or anybody else entertaining these sentiments, as I think it is not disadvantageous that they should be discussed, and in some instances no doubt their promulgation gratifies private self-complacency. When these monstrous and unfounded propositions are brought forward in debate we can controvert them, and when they are circulated in private society we can enlighten the irritated feelings they are meant to provoke. But what I now wish to impress on the Committee is the great importance of not permitting such bugbears to be the foundation of new legislation which is to change the character and the constitution of the country.

Sir GEORGE GREY: I wish to say a few words bearing directly on the subject submitted to our decision. We have before us two propositions, both seeking to attain the same object, but by very different means. We have the proposition of my right hon. Friend the Member for Calne, and that is the only proposal which has been seriously discussed during the whole of this long debate. On the other hand, we have the Amendment proposed by my hon. Friend the Member for Plymouth, which is essentially different in character, though both have the same object—namely, the representation of minorities. I think there is great objection to the proposal of my right hon. Friend the Member for Calne. I think if you allow electors to cumulate all their votes on one candidate, you would give too great power to the minority; and there is great force in the objection that, if you apply this rule to places returning three Members, it would be extremely difficult not to apply it to places returning two. But the Amendment of my hon. Friend the Member for Plymouth is free from this objection—it avoids the difficulties that would arise from the adoption of my right hon. Friend's clause. His scheme is, that where three Members are returned by a constituency an elector should give only two votes—not accumulating them on one candidate, but voting for only two out of the candidates, which gives no undue power to a minority. I am prepared to agree to the proposal of my hon. Friend the Member for Plymouth, and with regard to the division which is about to take place, I wish to call the attention of the Committee to the position in which we stand. If this was a Resolution proposed by my right hon. Friend the Member for Calne, and an Amendment had been proposed to it, the Amendment would be disposed of before we came to vote on the main question; but we are in this position — if we are in favour of the proposal of my hon. Friend the Member for Plymouth, as distinct from that of my right hon. Friend the Member for Calne, we must vote for the second reading of the clause, because, until it is read a second time, we cannot propose the Amendment. I therefore, in voting for the second reading of my right hon. Friend's clause, do so only to enable me afterwards to support the Amendment of my hon. Friend the Member for Plymouth.

Mr. LOWE: The right hon. Gentleman who has just sat down has truly observed that by reading the clause a second time the Committe would not fetter themselves as to the way in which its principle is to be applied. I will not now proceed to argue the merits of the three propositions which have been laid before the Committee, but I may be allowed to reply to observations which have been made by hon. Gentlemen during the course of the lengthened discussion that has ensued upon this subject. It is excessively kind of the right hon. Gentleman the Chancellor of the Exchequer to lay before the Committee for their instruction a great many arguments, which, however, I am sure, can have no possible weight with himself. He has been so kind as to attempt to prove to us in a most elaborate manner that this measure has no democratic tendency whatever. It is very good of him to do that, because we know from an exposition of his own political faith which he recently gave elsewhere that these things are to him matters of perfect indifference. In that speech he was more candid than he has been to us, and he made an exposition of his political creed which did not in the least surprise me or any one else who has watched his career. I can only describe it as political nihilism; as meaning, in other words, "that everything is just as good as everything else, and nothing matters in particular." The right hon. Gentleman said it was nonsense to talk about democracy in England; that you might talk of reforms in the Government and political changes, but democracy was impossible in England; that the elements of democracy did not exist in this country; that England is an aristocratic and monarchical country, and must remain an aristocratic and monarchical country, make what changes you will. That was the language held by the right hon. Gentleman, and which was greeted with applause by a Conservative audience. But if this be the true doctrine, of what use is the Conservative party? If you are just as safe under a democracy as under an aristocracy, why is it worth while to conserve anything? The right hon. Gentleman has found fault with the principle of the proposal for being so large while its application is so small. Nominally, the right hon. Gentleman is still the Leader of the Conservative party, and would he and those who follow him have thought the better of this proposal, if, being a very large principle, I had proposed at once without trial to give it a large application? Is not a proposal one of wisdom and moderation, if when a Member sees a principle which may be of benefit to the public, he submits it to them, giving them his reasons for it, and asking them to give it a small and limited application—a principle which, if it works well, is capable of great expansion—instead of asking them at once to expand it? We cannot help the principle being a large one, but we can help the principle being largely applied until we have tested its effects. The wise and the right way to act until we are in the necessity of the case driven to a large application is to give a principle a moderate application, with a view to ascertain what may be its results. It has also been said that this measure would produce political stagnation. This argument comes with good grace from the hon. Member for Birmingham, because we know that the hon. Member does not object to a little conflict; but this is the first time I ever heard that the avoiding of a contested election was in itself an evil. A contested election in the opinion of the Leader of the Conservative party and the hon. Member for Birmingham is in itself a great good. Nothing can be stronger than the way in which the hon. Member for Birmingham has put the case. He said that South Lancashire returned two Members of one way of thinking, and one of another way of thinking, and this was done after a contest which effected an enormous amount of good. But, supposing you had adopted the new-fangled idea, and there had been no row, no public house expenditure, and no broken heads, what would have been the result? Probably, Gentlemen would not have worked themselves up to that pitch of frenzy and excitement as to induce them to go about the country propagating doctrines which, when brought home to them, they shrink from in dismay. I protest against any arguments being drawn from the existing state of things to be applied to the state of things which is to be. Hon. Gentlemen have pressed on me very strongly that we have not those see-saws and changes I have alluded to—that our past history does not show them. No, Sir, it does not; but is this any argument that our future history will not show them? Because we have been able to avoid these things by the moderation of our institutions, by the manner in which we have provided for the representation of all classes of the community in respect of the exercise of political power, shall we, therefore, go on less moderately and safely now that we are going to entrust supreme power to almost the lowest class of all? Hon. Gentlemen say that in America it would have been a great evil if the system which I advocate had been introduced at the time of the civil war—that it would probably have prevented that energy which was put forth in the suppression of the revolt on the part of the South. But hon. Gentlemen forget what was the state of things in America. They forget that there were two great parties in America; the Republican party and the Democratic party. The Democratic party mainly belonged to the Southern States, and when the latter were withdrawn by their own act from the Confederacy, the small Democratic minority was left face to face with the Republican majority, and, consequently, they were quite at its mercy. My hon. Friend the Member for Reading has said that a majority in America has never been known to abuse its power. I will take one instance which is as good as a thousand. Certain things became necessary for the Republican party, which could not be carried without a majority of two-thirds of the Congress. Everybody knows that Members who were innocent men were expelled from the Legislature in order to obtain the necessary Republican majority. Then it is said that we are separating the upper classes from the rest of the community, giving them a sort of isolated existence and breaking them up into sections. I reply to that argument that the thing has been done already. We know from experience it is a law of the human mind that when we lower the franchise beyond a certain limit, the upper classes cannot be brought to take a part in elections. The choice presented to you now is this. Will you have your upper classes absolutely withdrawn from politics, or will you cut out of your constituencies a field on which they may yet feel they can with advantage take an interest in politics, and become re-attached to the Constitution from which the violent measures of the Government is about completely and utterly to sever them? Whatever the merits of this Bill may be it is certainly most inimical to persons in moderate circumstances. It will be hardly possible for any person without an enormous command of money to obtain a seat in this House in future; but if you pass this clause you will enable a certain number of persons to form a constituency which will be certain of returning a Member, and if they please without the slightest expense to themselves. You will be able by that means to have what you must have if this House is to continue to carry on the business of the country—namely —persons of moderate means who will devote themselves to it as a sort of profession. But if you do not pass this clause, or something similar to it, you will have nothing to look forward to but the almost absolute and immediate separation of the Executive Government from the House of Commons. You will have a House of Commons consisting of rich men returned by a mob; and you will find that a House so constituted will not be able to carry on the Executive Government in the manner in which it has hitherto been done. The result will be that you must do that which has been done under similar circumstances in other countries. You must have an Executive appointed by some other persons, who will be in their turn selected by the people and so be independent of this House. The hon. and learned Member for Plymouth spoke of an anomaly that would occur if my proposition were adopted by which he was shocked. He put it that one-third of the constituency of a borough *plus* one would equal one half of the representation. He is not however shocked by the anomaly that now exists—that one half of the constituency *plus* one is equal to the whole. The hon. Member for Birmingham is also horrified. He says that 12,000 votes may be given for one Member and 8,000 for another, and that thus under this system, a constituency returning four Members may be represented by two and two. That is exactly the same thing. The hon. Member is horrified at thinking that one-third could ever be equal to one half, but he is not the least horrified at thinking that one half *plus* one should equal the whole. The right hon. Gentleman the Under Secretary for the Colonies, being in search of an illustration, looked about for one, and could find no other than himself. He said, "If you want to understand how a majority works just look at an individual." I thought an individual meant something which could not be divided, but he has for the benefit of the House been good enough to cut himself into several pieces and to make himself a composite party for the purpose of illustrating his argument. Now, I suppose he is a majority. I wonder how his conscience voted on both sides last year and this, in voting then for a lateral extension of the franchise, and now for a vertical descent, and how the majority is arranged between them. Well, Sir, I am taunted with the little good I can hope to achieve by this clause; I think I have been a little misrepresented on that point, for I said distinctly that it was quite ridiculous to suppose that a mere change like this could counteract the enormous revolution into which we are plunging. The hon. Member for Birmingham says it is only taking a handful of snow out of an avalanche. That is quite true, and no one feels more than I do, or chafes more at my impotence to arrest the fearful change which is about to take place. I never attempted to represent to the Committee that a measure like this or a measure of ten times its influence would prevent the change we are about to undergo. You cannot do wrong and undo it in the same degree in this tremendous and irremediable measure. But is that any reason why we should not do what we can? The Chancellor of the Exchequer says we want to introduce crochetty men into the House. I do not exactly know what he means, but I suppose that he means men who are of the same opinions this year and last. If so, I congratulate the right hon. Gentleman upon not being a crotchetty man, and on never being likely to require the aid of one of these constituencies.

Question put.

The Committee *divided*:—Ayes 173; Noes 314: Majority 141.

AYES.

Adair, H. E.
Amberley, Viscount
Annesley, hon. Col. H.
Archdall, Captain M.
Aytoun, R. S.
Baillie, rt. hon. H. J.

Baring, hon. A. H.
Baring, H. B.
Barry, A. H. S.
Bass, A.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Bentinck, G. C.
Beresford, Capt. D. W. Pack-
Biddulph, M.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowen, J. B.
Bowyer, Sir G.
Brooks, R.
Bruce, Lord C.
Bruce, C.
Butler-Johnstone, H. A.
Buxton, Sir T. F.
Calthorpe, hn. F. H. W. G.
Campbell, A. H.
Cardwell, rt. hon. E.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Childers, H. C. E.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hn. W. H. F.
Cole, hon. H.
Cole, hon. J. L.
Colebrooke, Sir T. E.
Coleridge, J. D.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Cranborne, Viscount
Dent, J. D.
Dering, Sir E. C.
Dillwyn, L. L.
Dimsdale, R.
Duff, R. W.
Duncombe, hon. Adm.
Duncombe, hn. Colonel
Dyott, Colonel R.
Earle, R. A.
Edwards, H.
Ellice, E.
Enfield, Viscount
Evans, T. W.
Eykyn, R.
Fawcett, H.
Finlay, A. S.
FitzPatrick, rt. hn. J. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forester, rt. hon. Gen.
Fortescue, rt. hon. C. S.
Gallwey, Sir W. P.
Gaskell, J. M.
Gilpin, Colonel
Goldney, G.
Goldsmid, J.
Gorst, J. E.
Greenall, G.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grey, hon. T. de
Griffith, C. D.

Grosvenor, Earl
Grosvenor, Lord R.
Guinness, Sir B. L.
Gurney, rt. hon. R.
Hamilton, Lord C. J.
Hamilton, Viscount
Hardy, J.
Hay, Lord J.
Hayter, A. D.
Heathcote, Sir W.
Herbert, H. A.
Holford, R. S.
Holland, E.
Hood, Sir A. A.
Hope, A. J. B. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Hughes, T.
Hutt, rt. hn. Sir W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kavanagh, A.
Knightley, Sir R.
Knox, Colonel
Laing, S.
Lamont, J.
Lechmere, Sir E. A. H.
Leslie, C. P.
Liddell, hon. H. G.
Lowe, rt. hon. R.
Lowther, hon. Col.
Lowther, J.
Mainwaring, T.
Marjoribanks, Sir D. C.
Marsh, M. H.
Meller, Colonel
Morrison, W.
Neeld, Sir J.
Newdegate, C. N.
Nicholson, W.
O'Conor Don, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Paget, R. H.
Peel, rt. hon. Gen.
Peel, A. W.
Pelham, Lord
Pim, J.
Pollard-Urquhart, W.
Portman, hn. W. H. B.
Proby, Lord
Rawlinson, Sir H.
Rebow, J. G.
Repton, G. W. J.
Robartes, T. J. A.
Robertson, P. F.
Russell, A
Russell, F. W.
Russell, Sir W.
Sandford, G. M. W.
Schreiber, C.
Scourfield, J. H.
Scrope, G. P.
Seymour, A.
Seymour, H. D.
Smith, A.
Smith, J. A.
Speirs, A. A.
Stanhope, J. B.
Stuart, Col. Crichton-
Sturt, Lt.-Col. N.

Surtees, H. E.
Thorold, Sir J. H.
Thynne, Lord H. F.
Tracy, hon. C. R. D. Hanbury-
Vance, J.
Verner, E. W.
Walker, Major G. G.
Walrond, J. W.
Waring, C.
Warner, E.
Waterhouse, S.
Western, Sir T. B.

Whatman, J.
White, hon. Captain C.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wynn, C. W. W.
Wynne, W. R. M.
Wyvill, M.
Yorke, J. R.

TELLERS.

Knatchbull-Hugessen, E.
Mill, J. S.

NOES.

Acland, T. D.
Adam, W. P.
Adderley, rt. hon. C. B.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Antrobus, E.
Arkwright, R.
Ayrton, A. S.
Baggallay, R.
Bagge, Sir W.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barnett, H.
Barrington, Viscount
Barron, Sir H. W.
Bass, M. T.
Bateson, Sir T.
Baxter, W. E.
Beaumont, H. F.
Bective, Earl of
Beecroft, G. S.
Benyon, R.
Biddulph Colonel R. M.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Brady, J.
Brett, W. B.
Bright, Sir C. T.
Bright, J.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Buller, Sir A. W.
Buller, Sir E. M.
Burrell, Sir P.
Butler, C. S.
Calcraft, J. H. M.
Candlish, J.
Capper, C.
Carington, hon. C. R.
Carnegie, hon. C.
Cartwright, Colonel
Cave, rt. hon. S.
Chambers, T.
Chatterton, rt. hn. H.E.
Cheetham, J.
Clay, J.
Clive, Capt. hon. G. W.
Collier, Sir R. P.
Colvile, C. R.

Cooper, E. H.
Corbally, M. E.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowen, J.
Cox, W. T.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Cubitt, G.
Curzon, Viscount
Dalglish, R.
Dalkeith, Earl of
Davey, R.
Dawson, R. P.
Denman, hon. G.
Dick, F.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duff, M. E. G.
Dundas, F.
Dunkellin, Lord
Dunne, General
Du Pre, C. G.
Dyke, W. H.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Eliot, Lord
Erskine, Vice-Adm. J. E.
Esmonde, J.
Ewart, W.
Fane, Colonel J. W.
Feilden, J.
Fergusson, Sir J.
Floyer, J.
Forde, Colonel
Forster, C.
Forster, W. E.
Fortescue, hon. D. F.
Foster, W. O.
French, rt. hon. Col.
Galway, Viscount
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Gooch, Sir D.

Goodson, J.
Gore, J. R. O.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Grant, A.
Graves, S. R.
Gray, Lt.-Colonel
Grove, T. F.
Gurney, S.
Gwyn, H.
Hadfield, G.
Hamilton, Lord C.
Hamilton, I. T.
Hankey, T.
Hanmer, Sir J.
Hardy, rt. hon. G.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Hay, Sir J. C. D.
Headlam, rt. hn. T. E.
Heathcote, hon. G. H.
Henderson, J.
Henley, rt. hon. J. W.
Henley, Lord
Henniker-Major, hon. J. M.
Herbert, hon. Col. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hogg, Lieut.-Col. J. M.
Holden, I.
Holmesdale, Viscount
Howard, hon. C. W. G.
Huddleston, J. W.
Hughes, W. B.
Hunt, G. W.
Jackson, W.
James, E.
Jardine, R.
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
Kennedy, T.
King, J. G.
King, J. K.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knight, F. W.
Knox, hon. Colonel S.
Labouchere, H.
Langton, W. G.
Lanyon, C.
Lascelles, hon. E. W.
Leader, N. P.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lefroy, A.
Legh, Major C.
Lennox, Lord G. G.
Lennox, Lord H. G.
Lewis, H.
Lindsay, hon. Col. C.
Locke, J.
Lopes, Sir M.
Lusk, A.
MacEvoy, E.
M'Kenna, J. N.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
M'Laren, D.
Maguire, J. F.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Martin, C. W.
Martin, P. W.
Matheson, Sir J.
Milbank, F. A.
Miller, W.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Monk, C. J.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
More, R. J.
Morgan, hon. Major
Morgan, O.
Morris, W.
Mowbray, rt. hon. J. R.
Murphy, N. D.
Naas, Lord
Neate, C.
Neville-Grenville, R.
Newport, Viscount
Nicol, J. D.
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H.
Norwood, C. M.
O'Donoghue, The
Owen, Sir H. O.
Packe, C. W.
Padmore, R.
Pakington, rt. hn. Sir J.
Palmer, Sir R.
Parry, T.
Patten, rt. hon. Col. W.
Paull, H.
Pease, J. W.
Peel, rt. hon. Sir R.
Percy, Mjr.-Gen. Ld. H.
Philips, R. N.
Potter, E.
Potter, T. B.
Powell, F. S.
Pritchard, J.
Rearden, D. J.
Ridley, Sir M. W.
Robertson, D.
Roebuck, J. A.
Rolt, Sir J.
Rothschild, Baron L. de
Rothschild, N. M. de
Royston, Viscount
Russell, Sir C.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Sclater-Booth, G.
Scott, Lord H.
Scott, Sir W.
Seely, C.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Simonds, W. B.
Smith, J.
Smith, J. B.
Smith, S. G.
Smollett, P. B.
Stacpoole, W.
Stanley, Lord
Stanley, hon. F.
Stansfeld, J.
Stone, W. H.
Stopford, S. G.
Stronge, Sir J. M.
Sturt, H. G.
Surtees, C. F.
Sykes, C.
Sykes, Col. W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tite, W.
Tollemache, J.
Torrens, W. T. M'C.
Treeby, J. W.
Trevelyan, G. O.
Trevor, Lord A. E. Hill-
Trollope, rt. hn. Sir J.
Turner, C.
Vandeleur, Colonel
Vanderbyl, P.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Walcott, Admiral
Waldegrave-Leslie, hn G.
Walpole, rt. hon. S. H.
Weguelin, T. M.
Whalley, G. H.
White, J.
Wickham, H. W.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Young, R.

TELLERS.

Taylor, Colonel T. E.
Whitmore, H.

Committee report Progress; to sit again upon *Monday* next.

PRIVILEGE — SIGNATURES TO A PETITION.—OBSERVATIONS.

MR. CHARLES FORSTER said, that, as Chairman of the Committee on Petitions, he wished to call attention to a Petition presented on the 26th of June, purporting to be the Petition of inhabitants of Halifax and its environs. It contained some 800 manufactured signatures, which were in the handwriting of one or two individuals, and about seventy of them were absurd applications of common words. He had felt it his duty to communicate with his hon. Friend the Member for Halifax (Mr. Akroyd), by whom the Petition was presented, feeling sure that if the hon. Member had known the character of the Petition he would never have presented it. Although it was impossible to make a Member responsible for all the signatures attached to a Petition he presented, it was desirable that a Member should, as far as possible, acquaint himself with the character of a Petition and with the signatures attached to it before presenting it. One of the many reasons for requiring that a Member should endorse a Petition before presenting it was that the House might have some guarantee of its genuineness. The Petition in question afforded another illustration of the propriety of obtaining, if possible, the residences of the persons who signed a Petition. The Committee on

Public Petitions had it in contemplation to propose a revision of the Standing Orders, with the view of requiring that residences should be given; but they had hitherto refrained from making the proposition, because they did not wish even to appear to limit the Right of Petition. They had, however, adopted means to mark distinctly and give additional value to Petitions in which addresses followed the signatures. It was desirable to have residences, because in case of abuse they might furnish a clue to guilty persons. In the case of this Petition, to which 6,432 signatures were attached, there was not a single address, and only in one case was there a description. Two Sessions ago he brought under the notice of the House a flagrant violation of the Right of Petition, and the House thought it right to punish by committal to Newgate the persons against whom the Committee reported. He was glad that he was not called upon now to press for the adoption of a similar course. In this case there had not been an organized system of fraud, but rather a want of care on the part of those who got up the Petition, and ignorance of its character on the part of those by whom it was directly transmitted. Yet the House would feel it was impossible that the Resolution ordering it to lie upon the table could be carried out, and he moved that the House affix such a stigma to the Petition as would be implied by having the Order read and discharged, and the Petition rejected.

Moved, "That the Order of the 26th Day of June, that the Petition of 'Inhabitants of Halifax and its environs' do lie upon the table, be read, and discharged; and that the Petition be rejected."—*(Mr. Charles Forster.)*

THE CHANCELLOR OF THE EXCHEQUER: I think the House will feel it a duty to support the hon. Member for Walsall. There can be no doubt that this is a Question upon which the House ought to express its opinion. There really is no Right which is more valuable than the Right of Petition, and no opinion more incorrect than that which supposes that that Right is merely a form. The Petitions that are presented really do much to affect the opinions of this House. It is a mistake to suppose because their presentation is not preceded by long speeches, and followed by discussions, as before 1832, owing to the increase of the business of the House, that therefore the House does not attend to them. It is not so, because the Committee on Petitions examines them all, and those that are important are printed. The Reports of the Committee are issued to hon. Members, whose conduct is very much influenced by the Petitions that are presented. It is important to observe that what tends to diminish the value of the Right of Petition is, not any neglect which they may receive in this House, but the levity with which persons outside may send them here; and it ought to be impressed upon the public that the influence which the Right of Petition, properly exercised, has over the course of legislation is seriously diminished by facts such as those which have been brought before us by the hon. Member. The House is perfectly sensible of the value of the service rendered by the Committee on Petitions, and especially by the hon. Gentleman who has on more than one occasion called attention to malpractices of this kind; and I think it incumbent upon the House to watch carefully whatever tends to abridge the Right and value of Petitioning, and to show its determination to preserve the Right in its full force by the rejection of any Petition brought before the House in an improper manner.

MR. AKROYD said, he wished to state the circumstances under which he presented the Petition now referred to. It was sent to him by the secretary of the Halifax branch of the Licensed Victuallers' Association. It was in his hands only half-an-hour before he presented it on the day when the hon. Member for Chichester (Mr. J. A. Smith) moved the second reading of the Bill for the closing of public houses on Sundays. He only gave the Petition that general examination which is usually given by hon. Members, especially when Petitions are so numerously signed as this was, or purported to be, the number of signatures being 7,000. He saw nothing about it that appeared to be irregular, or that excited his suspicion. On hearing the facts which had been communicated to the House, he wrote to the secretary of the Halifax Licensed Victuallers; but before that letter could have reached him, the secretary, hearing from the secretary of the London Licensed Victuallers' Association, that there had been some irregularity, addressed to him a letter which he received that morning. The letter said—

"I have heard that the petition sent from Halifax was disgracefully signed by some evil-disposed person or persons; but, Sir, it is not with our knowledge. The sheets were given to two men to deliver to various houses, get signed, collect, and piece together. The men were in the trade, and I thought they would do the job right; but it appears they have not done so. I hope you will see the Committee and explain to them the way it has been done, and that the licensed victuallers of Halifax had no knowledge of anything wrong in the petition, or they would not have allowed it."

He had also received another letter, written after further inquiries had been made, which stated that the sheets had been filled with *bonâ fide* names, but that these had been taken away and others substituted for them. He entirely concurred with the Chancellor of the Exchequer in thinking that the Right of Petition was one that ought to be jealously guarded against possible abuse. He would make further inquiries respecting this Petition; and he could assure the House that the Licensed Victuallers' Association would do all in their power to prevent the repetition of such conduct as had been practised in this instance.

Petition *rejected.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE IRISH PEERAGE—THE ROYAL PREROGATIVE.

MOTION FOR AN ADDRESS.

SIR COLMAN O'LOGHLEN said, that in rising to move a Resolution on this subject, he wished to explain to the House that at the time of the Union it was determined to follow, with respect to the Irish Peerage, the precedent set in the case of the Scotch Peerage at the time of the union of Scotland with England—namely, to have an Irish Representative Peerage; and accordingly the Act of Union provided that the Peers of Ireland should have twenty-eight representatives in the Imperial Parliament. There were, however, several points of difference between the Scotch Peerage and the Irish Peerage. The Scotch Peers were elected at the beginning of every Parliament, and without re-election could only sit for one Parliament. The Irish Representative Peers, on the other hand, were elected for life, and any person who was elected as a Representative Peer of Ireland had no power of resigning. He must serve. It had been said, he knew not on what authority, that a late noble Lord, so long the Leader of that House (Lord Palmerston), had refused to make out his right to vote for the Irish Representative Peerage, because he was afraid that, at some time or other, he might be elected and sent to the House of Lords against his will. The consequence of the system of election for life was that men in decrepit age, and even a lunatic confined in an asylum—as had been the case not long ago—might be found on the roll of the twenty-eight Irish Representative Peers. If a Peer of Scotland was made a Peer of the Realm, he ceased to be a Representative Scotch Peer; but if an Irish Representative Peer was promoted to be a Peer of the Realm, he still remained a Representative Peer of Ireland for the whole term of his life; and there was a still more substantial difference between the Irish Peerage and the Scotch, since the Union of Scotland with this country no Scotch Peerage can be created; but under the Irish Act of Union an Irish Peerage may be created whenever three Irish Peerages become extinct, and even that limitation does not exist whenever the number of Irish Peers falls below one hundred. A Scotch Peer cannot be elected a Member of the House of Commons; but an Irish Peer can be elected for any constituency on this side of the Channel. It was perfectly competent to Her Majesty, if she so thought fit, to decline to create a further number of Irish Peers, and the only question was, was there any advantage in keeping up the Irish Peerage? He maintained that there was not. The fact of a man being an Irish Peer deprived him of the power of acting in many capacities which he might act in if he had no Peerage. An Irish Peer could not sit in that House for an Irish constituency; he could take no part in the management of the affairs of his county because he could not sit upon the grand jury; he was in fact a political eunuch. He believed that no English or Scotch gentleman would accept an Irish Peerage. It was not in substance or reality a Peerage; the coronet which it brought with it was a mere pasteboard one. If an Irishman was worthy of a Peerage at all, he ought to be made a British Peer. The Motion of which he had given notice was one for an Address to Her Majesty, praying Her not to exercise Her Royal Prerogative in creating Irish Peers; but the ultimate object he had in view was the amalgamation of the British, Scotch, and Irish Peerage. The present system worked very badly. He did not wish to say anything offensive to anyone; but it was notorious that, unless an Irish Peer professed very strong political opinions, he had no chance of a seat in the House of Lords. It was generally believed the noble Earl at the head of the Government exercised such an influence in the nomination of the Irish Representative Peers that, unless an Irish Peer coincided in the political views of that noble Earl, he had no chance of being elected to a seat in the House of Lords. That compelled the young Irish Peers to become Conservatives at once. The noble Lord the Chief Secretary for Ireland would inherit an Irish Peerage ; but if he sat for an Irish borough, the moment he became an Irish Peer he would have to quit the House, unless he could get in for a place in England or Scotland. It might be asked how he would provide room in the House of Lords for all the Irish and Scotch Peers ? It was not for him to do that; he would leave it to the wisdom of Parliament and the bounty of Her Majesty. The thing, however, was not so very difficult. The Irish Peerage ought to be put on the same footing as the Scotch, and no more Irish Peers ought to be created. He would thus allow the Irish Peerage to become gradually extinct from non-creation of fresh Peerages, until the number was reduced so low that those remaining might become absorbed into the House of Lords as British Peers. To show how such a system would work he would mention that at the time of the Scotch Union there were 154 Scotch Peers, there were now only 78, the rest having become extinct. Of those 78, 41 had been created, since the Scotch Union, British Peers. That only left 37 Scotch Peers, of whom 16 were Representative Peers, so that there only remained 21 Scotch Peers who had not seats in that House. No doubt that number would be reduced by the process of extinction adopted until there would be no difficulty in adding them to the House of Lords. At the time of the Union with Ireland there were 238 Irish Peers, 60 had become extinct; but, unfortunately, that extinction had not the same effect as in Scotland, for some new Irish Peerages had been since created. There were, however, 189 Irish Peers at present, of whom 80 held English Peerages. Of those, 80 were English and 28 Representative Peerages, making the total number of Irish Peers without seats in Parliament, 81. At the time of the Union there were 228, which showed the rapidity of the process of extinction, the Union having taken place only 67 years ago. Last year, no less than six Peers of Ireland got English Peerages. It might be objected that such an addition as was proposed would render the House of Lords unmanageable, and interfere with the proper despatch of business. But if all the Scotch and Irish Peers at present existing were added, that would not be the case. At the present moment there were 463 Peers on the Roll of Parliament, but the House of Commons consisted of 658 Members, and might, if the proposal of the Chancellor of the Exchequer was accepted, be raised to the magical number of 666. But if they excluded the Irish and Scotch Peers and the Bishops, the number of Peers having seats in the House of Lords was 385, of whom 97 only claimed their Peerage anterior to the accession of George III. There were only two Dukes whose creation dated so early as the reign of Charles II., and only one Marquess whose creation dated before the reign of George III. He stated these facts to show how rapidly hereditary dignities became extinct ; and that would be rendered still more plain to the House when he informed them that whereas at the accession of George III. there were 388 Peers, and that monarch created 215, there only now remained 385. There was no reason, then, to fear that the House of Lords would be rendered unmanageable by the addition of the Scotch and Irish Peers. Meantime he thought they should have a reform of the Irish Peerage, with, among other things, the cumulative vote. He would have them also elected each Parliament, the same as the Scotch Peers, and in other respects assimilated to them. His main object now in bringing this subject under the consideration of the House was to put an end to anomalies unsuited to the present age, and he trusted the present discussion would not be useless.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to consider the expediency of withholding the exercise of Her Royal Prerogative of creating Peers of Ireland, or filling up vacancies that may occur in the Peerage of that part of the United Kingdom, with a view to the ultimate union of the Peerage of Ireland with the Peerage of the United Kingdom,"—(*Sir Colman O'Loghlen,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. POLLARD-URQUHART said, that, in seconding the Motion, he begged to be allowed to express a hope that the Government would not turn a deaf ear to the suggestion of his hon. and learned Friend, and relieve the Irish Peerage from the undeserved sneer that was often levelled against them. Since 1832 the Irish Peers stood at a much greater disadvantage than before. Until the great measure which extinguished the rotten boroughs was passed it was easy for Irish Peers to obtain seats in that House; and Lord Wellesley, Lord Londonderry, and other Irish Peers had been among the leading men of the House of Commons. But since 1832 all that was changed, and to make any one an Irish Peer now was to put an extinguisher upon him as a public man. It might be said that this was a sentimental grievance; but half the grievances in the world were sentimental, and created as much irritation as material grievances.

Colonel FRENCH characterized the Motion as most extraordinary. The hon. and learned Member asked the House to endorse a proposal to violate the Articles of Union, and strike at the Prerogative of the Crown. Did he desire to secure the extinction of the Irish Peerage? Seventy-four Irish Peerages had become extinct since the Union, and that, one would think, should be sufficient to satisfy the craving of the hon. and learned Member. He surely could not expect any Minister to advise Her Majesty to add 110 Members to the House of Lords. The proposition was not original; the Duke of Somerset in 1716 proposed to limit the Prerogative of the Crown in the matter of creating Peerages to the extent of eight beyond the number then existing. Sir Robert Walpole told him that it would be perfectly impossible to get such a measure passed by the House of Commons, as many of its Members were living in expectation of having the honour of a Peerage conferred upon them, and the measure was afterwards, on the Motion of Lord Stanhope, abandoned; and well it was so, or the Peerage, as an oligarchy, would long since have ceased to exist. At the death of Queen Elizabeth there were in England but 59 Peers; James I. made 62; Charles I., 59; Charles II., 64; James II., 8; William III., 30; Anne, 30; George I., 20; making, altogether, 273; but 119 of those had become extinct, so that the Duke of Somerset's limit would have been 223. Peerages of the United Kingdom did not appear to last a very long time. In Ireland it was different. No country in Europe can boast a higher or more ancient aristocracy than Ireland—the De Burgos, from whom the Royal family derived their Earldom of Ulster; the De Berminghams, Lords Athenry, the Premier Peer of Ireland, the Geraldines, Kildare and Desmonde; the De Courcys, whose chief representative enjoyed the peculiar privilege of standing covered in the presence of his Sovereign, granted to one of his ancestors by King John; the D'Anjulos, Lords Nangle, the De la Poers, Du Barrys, De Excestres, De Barry, FitzWalters, called from their hereditary offices; Butlers, the Talbots, the Danish Plunketts, the Barnwells, and Prestons of the Pale. The newest of these Peerages has been 400 years in existence; the majority six or seven centuries. The great Celtic Peerages, Tyrowen, Tirconnell, M'Carthy More, O'Dempsy or Clanmalina, O'Brien of Thomond, have, with the exception of the last (Inchiquin) disappeared, as well as the soldier Peers of William III., the Schombergs and De Ginkles. At the commencement of the last century the creation of the Peers of Ireland may be said to have been vested in the hands of the undertakers—a number of families who undertook to carry all the Government measures on the patronage of the Crown being left in their hands. The chief of these families were the Gores, Beresfords, Speaker Boyle, and Primates Stone and Boulter. Government took the matter into their own hands, openly sold the Peerages for £5,000 each, and purchased boroughs with the money, creating what George Nugent Reynolds, in a letter to Lord Clare, denominated the Pinchbeck aristocracy, and called by others "the titled mushrooms." Curran, in his description of the Government of the day, says—

> "They begun with the sale of the honour of the Peerage; the open and avowed sale to whomsoever was rich and shameless enough to become the purchaser. It depraved the Commons; it profaned the sanctity of the Lords; it poisoned the sources of legislation and fountains of justice; it annihilated the very idea of public honour or public integrity."

According to rumour, £100,000 was obtained in this way. Mr. Ponsonby offered proof of six of these sales to the House of Commons; and, to this day, forty-two names are on the roll of Irish Peers who have not a residence or an acre of land in that country amongst them. In twenty years previous to the Union, thirty Peerages were made; and at the Union, in promotion and creation forty-two were made. They do not stand in high favour in Ireland, as to this day there is no more unpopular an epithet than that of a Union Peer. Since 1800 thirty-four have been created or promoted. So that Ireland had no cause to think herself neglected; and in one respect she had an advantage over Scotland, as her Peers could get themselves returned to the House of Commons. Since the Union many Irish Peers have sat in the House of Commons; the Marquess of Londonderry, Lord Palmerston, Lord Hotham, Lord Annesley, Lord Henniker, Lord Rendlesham, Lord Galway, Lord Fermoy, Lord Henley, and others. He could not see any reason why the descendants of the purchaser of an Irish Peerage should have a claim to an English one, or why those who come after any of the Union Peers should have an opportunity afforded them of doing in their new country what their fathers did in the old. The 4th Article of the Union provided for keeping up the Irish Peerage; that for every three becoming extinct, and one year elapsing afterwards, Her Majesty should have the power to create one, and when the number was reduced to 100, she could create one for every vacancy that might occur. His hon. Friend the Member for Clare does not approve of this arrangement, and seeks to deprive Ireland of the trifling gilding that is left to her. He complains that the Irish Representative Peers differ from him in politics; but he does not propose to put a stop to English Peers voting at their election, which would do away with Ministerial dictation, and give its due weight to residence and devotion to Irish interests. There had been no claim made by any of the Irish Peers to have this supposed grievance redressed, nor had any desire been evinced on the part of the Irish people to see their representatives in the House of Lords. Why, then, was this Motion brought forward? Men — Irishmen — of ancient lineage may yet like to rank themselves amongst the nobles of the country where their properties are situated; or those persons who hereafter may raise themselves to distinction by their advocacy of Ireland's interests, may wish to identify their names with that of their country by being enrolled amongst its Peers. It appeared to him, therefore, that, under these circumstances, the Motion made by his hon. and learned Friend was not only uncalled for, but absolutely mischievous, and he trusted that Her Majesty's Government would give no encouragement to hon. Members who might desire to take up the time of the House with Motions of this kind.

GENERAL DUNNE said, he was certainly puzzled to find a Motion of this nature brought forward as an Irish grievance. He, however, supposed that, seeing there was to be no Irish Reform Bill during the present Session, and thinking they had time to spare, his hon. Friend had thought he might occupy the time of the House with an attempt to reform the House of Peers. He certainly thought it would be well if we had only one Peerage for the two countries. Still, however, the existence of a separate Peerage was provided for by one of the Articles of the Union, and if any improvement was to be effected in that Treaty the whole subject ought to be brought under consideration, and not to be dealt with piecemeal. He, therefore, suggested that the House should proceed to the other business on the Paper, and lay aside a Motion which could produce no beneficial result.

MR. PIM said, that the right hon. and gallant Gentleman who had just sat down had mistaken the nature of the Motion made by his hon. Friend. That Motion did not contemplate the elevation of the whole of the Irish Peerage to the House of Lords, but was simply to ask the Queen not to increase the number of Irish Peers —trusting to time to reduce them to such a number that they might be absorbed in the English Peerage. He could not imagine that the existing Peers would be dissatisfied because their number was not increased, while it could not, he thought, be agreeable to the Irish people generally that the Peerage of their country should remain one of an inferior rank.

LORD NAAS said, he was not disposed to take up the time of the House in discussing a Motion which could in his opinion lead to no practical result. He was sorry to hear that there was any grievance affecting the Irish Peers; but he could not think that the grievance to which the hon. Gentleman had referred was one that sat very heavily on that body. He must confess that he could not regard as a grievance the complaint made by an hon. Gentleman opposite, that since the rotten boroughs had been abolished, Irish Peers had no longer an opportunity of becoming Members of that House. It was certainly not complimentary to that body; but he begged to remind the House that there had been lately an illustrious example to the contrary in the person of the late Prime Minister. There was not a constituency in England which would not, during the last twenty-five years, have been proud to have had him as their representative. Irish Peers with a capacity for public business such as the noble Lord possessed would find no difficulty in obtaining a seat in that House, and in getting important constituencies to recognize their business qualities. With regard to the Motion itself, he wished to point out that it would be impossible for the House to agree to it. Not only was it levelled directly against an important Prerogative of the Crown, but that Prerogative was confirmed in a solemn compact through the medium of an Act of Parliament. If, therefore, any interference was at all contemplated in this direction, that interference ought not to take the form of a Resolution, but should be solemnly embodied by the House in an Act of Parliament—an Act that would have the effect of repealing one of the Articles of the Union. He did not think that this would be a desirable course. He admitted that in some respects an Irish Peer was placed in an anomalous position; but his position in his own country was more anomalous than it was with regard to his Parliamentary privileges. It was felt as an inconvenience that an Irish Peer could not take that part in the business of the country that was taken by an ordinary gentleman. He, however, certainly thought that the House ought to be very slow to adopt a Resolution of this kind, and to interfere in the manner proposed with one of the most solemn acts ever entered into by the Parliament of this country.

Mr. MONSELL said, the object of the Motion was not so much to get rid of the Act of Parliament as to elicit the opinion of the Government upon the question; and he believed that object had been fully attained in the discussion that had taken place that evening. It was most desirable that the English and Irish Peerages should be fused into one, the same as was done with the Scotch and English Peerages. If that plan had been adopted at the time of the Union there would only now be twenty-three Irish peers without seats in the House of Lords, and the fusion of the two would have been on the point of taking place. Everybody must admit that it was rather an unfortunate circumstance that, by the present system of election, Irish peers belonging to one party only could by possibility find a seat in the House of Lords. It was a somewhat remarkable circumstance that the other night, when Lord Russell brought forward a Motion on the question of the Irish Established Church—a matter which must really be settled if they were to give satisfaction to the Irish people—not a single Representative Irish Peer voted with that noble Lord.

Amendment, by leave, *withdrawn.*

MOLDAVIA—TREATMENT OF THE JEWS.

MOTION FOR AN ADDRESS.

Sir FRANCIS GOLDSMID said, in rising to call attention to the recent persecution of the Jews in Roumania, he wished to observe that the Jews in Moldavia were a very numerous body, being estimated at about 200,000. The great majority of them were supposed to be descended from ancestors who settled there many centuries ago. They had lived, on the whole, upon terms of amity with the bulk of the population of that Principality, and had little in the shape of persecution to complain of until about a year ago, when, on the occasion of the endeavour to obtain an express recognition of political rights for them under the new Constitution of the country, a party of agitators sought to make political capital out of a prejudice which was supposed to prevail against them among the nation. M. Bratiano, the present Minister of the Interior, one of the party which then attempted to assert the political rights of the Jews, had since taken the lead in subjecting them to the most cruel persecution. On the 22nd of last May, the hon. Member for the City (Baron de Rothschild), Sir Moses Montefiore, and himself received a telegram, which was to be found in the Papers then before the House. It was stated in that telegram that the Minister, M. Bratiano, putting a false interpretation on laws and regulations which had been long in disuse, and which were abrogated by the new Civil Code, had ordered the immediate ejectment of all Jews from the farms, inns, and village cabarets occupied by them; that a razzia was also directed to be made against the Jews in the streets of Jassy, under the pretext of vagabondage; and that the police had been engaged for some days previously in arresting the Jews in the streets, and transporting them with great brutality in troops across the Danube. The course which the Minister had taken was not only barbarous but illegal; and that was the case not only with regard to the ejectment of the Jews from their houses, but also with regard to the arrests for vagabondage; for it was provided by one of the Articles of the Constitution, that no one should be arrested as a vagabond until he had had a month's notice given to him, in order that he might within that time provide himself with a domicile, and in this case no such warning had been given. The telegram to which he (Sir Francis Goldsmid) had referred implored him to do what he could in aid of the sufferers, and he had forwarded it to the noble Lord opposite (the Foreign Secretary), who immediately sent instructions to our Consul General at Bucharest to remonstrate against these proceedings, and to direct the Consul at Jassy also to remonstrate with the local officers. M. Crémieux, the eminent French advocate, obtained an interview with the Emperor of the French, who took up the matter in a like spirit, and his Government despatched similar instructions to its agents, while he himself sent a telegram of remonstrance to Prince Charles. On the 26th May, Mr. Green, the British Consul General, had an interview with the Prince on the subject, but the Prince, doubtless acting on the information of his Minister, M. Bratiano, intimated to Mr. Green that no persecutions against the Jews had been intended, and that certain hygienic and police measures only had been adopted; the Prince also manifested astonishment at the petition of the Boyards, because they had previously expressed to him opinions unfavourable to the Jewish community. He ought rather to have inferred that M. Bratiano's measures must have been most unjustifiable, since they shocked even those who were prejudiced against the Jews. The petition drew a striking picture of the anarchy produced in Jassy by the arbitrary proceedings of the Minister, and correctly remarked, that a course so lawless was a threat against the rights of the Roumans generally, to whom no security would remain if such a violation of all law were tolerated. Before the receipt of instructions from this country, our Consul at Jassy had made unofficial representations to M. Bratiano, who was then in that city, and similar representations were likewise made by the Russian and Austrian agents, when M. Bratiano promised that instructions should be immediately issued to reform these abuses; but it was found next day that the Minister had left Jassy without such instructions being issued, while the arrests were continued. The total number of Jews arrested in Jassy was eighty. Fifty of them remained in prison on the 7th of June; thirty were tried for vagabondage, fifteen were acquitted, and fifteen were condemned—who had to appeal to a higher Court. On the 14th of June the noble Lord sent a despatch to Mr. Green, instructing him to continue his friendly and earnest remonstrances. At the end of the Papers Consul General Green expressed an opinion that the persecution had ceased; but, unfortunately, that was too sanguine a conclusion. This was clear from a telegram of June the 16th, which stated the continued arrests of Jewish travellers furnished with regular passports (*munis de passeports*), not, as stated by a misprint in the Papers before the House, *minus* passports. Then, too, it appeared from a letter from Jassy, dated June the 18th, that in the town, persecution had ceased; but that Jews who were travelling were still seized and sent from one district to another; that the servants of Jewish farmers were turned out of the villages under the pretence that the farmers alone had the right to remain; and that in the whole country the tribunals refused to confirm the purchase of houses by Jews, so that it was impossible for them either to buy or to sell house property. The only favourable piece of information was the last which he (Sir Francis Goldsmid) had received. This was the intelligence that the Court of Appeal at Jassy had reversed the decisions of the tribunals of First Instance, and had declared that three of the Jews taken up for vagabondage had been wrongfully arrested. A pamphlet had been published on the subject in Paris, which was attributed to M. Bratiano, and in which it was stated that the Jews had suffered because of their partiality to Russia; but that was most unlikely, inasmuch as the Russian Government was almost the only Government of a civilized State which had of late years exhibited any wish to persecute its Jewish subjects. In the pamphlet to which he referred, it was also set forth that the measures which were taken had reference to all vagabonds, whether Christians or not; but the fact was that they might be more correctly described as steps taken against the Jews, whether vagabonds or otherwise. If anything could aggravate the cruelty that had been shown towards the Jews, it was that that cruelty had been instigated by a gentleman who was the professed advocate of the most enlightened principles of liberty and the fullest rights of man. Those persecutions had excited in this country so much interest that his (Sir Francis Goldsmid's) venerable friend, Sir Moses Montefiore, although upwards of eighty years of age, had determined to make a journey to the spot with the view of seeing whether something could not be done towards their mitigation. He (Sir Francis Goldsmid) knew so well the hatred of the House of Commons for all oppression, that he would feel sure of their sympathy, even if the rights of the Jews only were invaded or menaced. But this was not so. If the habit of persecution were allowed to gain ground, it would affect all Christians who were not of the dominant sect, as well as the Jews. In Lord Lyons' despatch of the 6th of May, in which he reported on the condition of the Christians in Turkey, he said—

> "In short, very little progress has been made towards enabling the Christians to feel that the Ottoman Government is, as regards them, a national Government. They submit to it as a less evil than anarchy and confusion; and each Christian race seems to value it chiefly against what appears to be to each the great object of dread—the domination of any of the other Christian races in the empire."

This paragraph well deserved the attention of those who fancied that the overthrow of the Turkish Government would be a panacea for the evils affecting its Christian subjects. The hon. Baronet concluded by asking the Secretary of State for Foreign Affairs, whether he had received any intelligence on the subject of the persecution of the Jews of Roumania since the presentation to Parliament of the Papers relating to it, and by moving for any subsequent Correspondence that might have taken place?

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of further Correspondence relating to the persecution of Jews in Moldavia,"—(*Sir Francis Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DARBY GRIFFITH said, that doubtless the young Prince who ruled over the district in question was well disposed to prevent anything like the persecution to which the hon. Baronet had called attention. It must at the same time be admitted that, reigning, as he did, over a country which scarcely came within the limits of civilization, and which was troubled by domestic dissensions, it was extremely difficult for him to realize his wishes in that respect. He was happy to find that the period over which the alleged outrages extended did not appear of very long duration, and was inclined to think that Mr. Green would not have sent so satisfactory a report on the subject if their severity had not been considerably mitigated. The persecution of the Jews should not be tolerated in the present day, and there was no reason why the existence of that creed should be considered hostile to Christianity. On the contrary its existence had been of benefit to Christianity. They were indebted to the Jews for the preservation of the language in connection with which the Christian religion was founded. No part of the literary efforts of a right hon. Gentleman who held a prominent position in that House was more interesting or more to his credit than the defence he had opened for that race. He thought it was necessary that means should be devised for giving the House an opportunity to express its opinion upon engagements made by the Crown of a diplomatic nature previous to ratification.

MR. ALDERMAN SALOMONS said, he desired to express his grateful thanks to the noble Lord at the head of the Foreign Office for the course he had taken in reference to these persecutions. There was no doubt that the interference of England and France had saved these people from much heavy persecution, and that many persons had been released from imprisonment owing to the exertions of the Governments of the two countries. He believed that not only Jews but Christians in all parts of the world would bless the noble Lord for the course he had taken.

LORD STANLEY said, he had no objection whatever to place the Papers asked for by the hon. Baronet on the table of the House. They, however, contained very few details beyond those which had already been published. The latest intelligence on the subject had been received that morning. Mr. Green, the Consul, writing from Bucharest, stated that Mr. St. Clair, the Consul at Jassy, had had an interview with Prince Charles, and had received an assurance from him that these persecutions would be put a stop to. Whether the promise would be kept he (Lord Stanley) could not undertake to say, but as far as the matter rested with the Prince, he believed that he was perfectly sincere in what he said, for he had acted very fairly in all these matters. With respect to the persons by whom the administration of the country was carried out, it was impossible to say how far they originated and traded on, for purposes of their own, the popular agitation, or how far it had its root in popular feeling. No doubt the country, taken as a whole, was superstitious, and under ecclesiastical influence; and, probably, a good deal of that feeling existed there which prevailed in Europe three or four centuries ago, when men thought that a little persecution of others atoned for much immorality on their own part. Then again, they must consider that the population had only been recently emancipated; only the other day they were in a position of inferiority, and he was afraid that the first impulse of persons so circumstanced, was to assert, in an unpleasant manner, their superiority over persons of another race who might be in their power. He did not think the persecutions had been directed against the Jewish community solely on account of their wealth. It was a matter of popular prejudice. If that prejudice was really strong and general, he could not hold out a hope that it would be entirely removed by diplomatic action, and in that case they must trust to time and the moral pressure of the civilized communities of Europe. At any rate, the English Government would do all that was reasonable and possible; and the French Government were acting cordially with them in the matter. He need not say that in a case of this kind, the more discussion there was and the more publicity was given to the subject the better.

Amendment, by leave, *withdrawn.*

MEDICAL OFFICERS OF THE ARMY.

RESOLUTION.

Mr. SYNAN said, he rose to call the attention of the House to the Report of the 10th of August, 1866, of the Committee appointed to inquire into the Rank, Pay and Position of the Medical Officers of the Army. On this subject he could not help recalling to mind the period of the Russian War, at the commencement of which the Crimea was the veritable Aceldama of the British Army—and reminding the House of the noble exertions of Lord Herbert and Miss Nightingale to remedy the then existing evils. With respect to the proceedings of the Select Committee of 1866, it appeared from the evidence of Professor Longmore, Dr. Rees, and Dr. George Johnson, that the chance of promotion for medical officers in the army was so small that only inferior candidates could be expected to enter the service. In 1865 the candidates were almost all of the third class. During the present year the highest number of marks obtained was 1,079, the maximum being 3,400; and the lowest number was 146, the minimum being 1,034. The conclusion which the Committee of 1866 came to upon the evidence was that there was a considerable deficiency of candidates of that high class of professional attainment who it was hoped would present themselves as competitors, and they recommended that a better system should be adopted, and that the Warrant of 1858 should be carried out. The evidence also showed that the candidates were not well-educated professional men, and therefore a greater number were rejected in 1865 than in 1863. He thought all the facts proved clearly that the non-execution of the Warrant of 1858 had had a progressively injurious effect upon the qualifications of the candidates for the Army Medical Service, and therefore the Committee of 1866 were perfectly right in issuing the recommendations for the Government to act upon. Those recommendations were—first, that at all boards except courts martial and inquiries into military offences, medical officers should sit according to their medical rank, as ordered by the Warrant of 1858, and not attend merely as witnesses (the present system was that they were summoned merely as witnesses, and were not allowed to sit on the bench upon ordinary inquiries); secondly, that the senior military officers should preside, but that the medical officer should have the same relative position according to the rank which he held as the military officer; thirdly, that in the monthly *Army List* the names of the medical officers should be published in the ordinary course; fourthly, that medical officers ranking with field officers should be allowed to hold the same position as military officers of the same rank; and, fifthly, that an increase of pay should be granted according to the scale fixed by the Government. The Warrant carrying out this last recommendation was dated the 1st of April last, and made no reference whatever to the other recommendations of the Committee or the Warrant of 1858. The medical officers, therefore, did not know whether the Warrant of 1858 was in existence, or whether it was intended to carry out the other recommendations of the Committee. The medical officers were satisfied with the rate of service pay as settled by the Circular of 1866, but not with the retiring pay allowed by the Warrant of 1st April. After a certain period of service a surgeon-major was entitled to retire upon a rate of pay which should not exceed one half of his full pay. Thus, a surgeon-major of twenty years' standing would be entitled to a retiring pension of 12*s.* a day, while an assistant surgeon who might have served thirty or forty years would only be entitled to a retiring pension of 8*s.* 9*d.* a day. The half-pay ought to be regulated by length of service, and not by the name given to the officer. At a recent meeting in Dublin a Resolution was passed on the subject, and condemnatory of the Government for not declaring whether the Warrant of 1858 was or was not to be carried out. With reference to the period of five years mentioned in the proviso in the Warrant of April he would allude to Returns which had been laid on the table in 1861, and which showed the number of assistant-surgeons and surgeons in the Service to be 738, while the average vacancies were only eighteen, so that by seniority an assistant surgeon would have to serve forty years before he could attain the rank of surgeon, and after that time he would be entitled to only 8*s.* a day. The Returns on the same subject, which applied to Her Majesty's troops in India as well as at home, embracing the last ten years showed that it would take an assistant-surgeon thirty-one years to become a full surgeon, and even then he would only be entitled to a retiring pension of 8*s.* 9*d.* a day. The remedy for that, in the opinion of the medical officers, was for the Secretary at War to fix a time within which assistant-surgeons would be entitled to rank as surgeons. It was also suggested that instead of assistant-surgeon the title of junior surgeon should be given them. He did not see why there should not be in a regiment two surgeons as well as two captains and two majors. Their real grievance was that by the seniority principle of advancement they might serve thirty-one years as assistant-surgeon, with a retiring pay of only 8*s.* a day. The promotion was fixed at ten years in the naval service, and at twelve years in India, and the medical officers saw no reason why similar rules should not prevail in the ordinary service of Her Majesty. That was a matter which the Secretary for War ought to take into consideration. There was also a difference between the cavalry and the infantry service with respect to medical officers. In the cavalry, although the pay of other officers might be increased, there was no increase in that of the medical officers. In the cavalry, the medical officer had to keep a horse, for which he had to pay 8*d.* a day for forage, while in the infantry the medical officer received 1*s.* 10*d.* a day for his horse's forage. He thought that medical officers in both these branches of the service should be put on the same footing. He was persuaded that such a reform would be not only fair and reasonable, but would be the very best economy. It would not be disputed that a good regimental doctor was worth a hundred times the pay he received, whilst a bad regimental doctor would be a positive loss. The Emperor Napoleon declared that his Surgeon General O'Leira was worth six generals, and he (Mr. Synan) considered that a good regimental doctor was at least worth one general. Sir James Outram, also, on his death-bed said—

> "It pains me to think that the services of medical officers are so ill requited, and that my efforts to obtain justice for them have been attended with so little effect; but the time is coming when they must be properly recognized—the next war will settle this long controversy terribly in their favour."

The hon. Gentleman, in conclusion, moved the Resolution of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the alteration made in the Royal Warrant of the 1st day of October 1858, has not only operated prejudicially to the interests of the medical profession, but produced an injurious effect upon the Military Service of the Country, and that it would tend to procure a better qualified class of Medical Officers, and thereby promote the greater efficiency of the Military Service generally if the recommendations of the said Committee were carried out in their integrity,"—(*Mr. Synan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOHN PAKINGTON said, that if the hon. Member was of opinion that the medical officers of the army had not been treated in a satisfactory and deserving manner, he was quite right in bringing the subject under the notice of the House. He entirely agreed with the hon. Member that the army ought to have competent and well-qualified surgeons, and it was no less essential that they should be treated, both by the army and by the Government, in a most kind and liberal spirit. No class of persons, indeed, were more entitled to consideration, honour, and credit, than the medical officers of the army and navy. Wherever there was danger they were always ready to share it; they were always willing to do even more than their duty, and from considerations both of good feeling and good policy they were entitled to the most generous treatment. The question, therefore, really was, whether or not, looking to what had taken place of late years with respect to both services, the medical officers had at the present time any ground of complaint? The Member for Limerick seemed to think they had, and in support of this view had adverted to the Warrant issued in 1858. That Warrant was issued at a time when his right hon. and gallant Friend the Member for Huntingdonshire was Secretary for War, and he thought it would be admitted that it was conceived in a spirit of the greatest kindness and generosity towards the medical offiers of the army. But the hon. Gentleman complained that that Warrant had been subsequently allowed to fall into neglect. Now, he believed the Warrant was not carried out to its full extent, and the result was that evils and inconveniences arose, so that a further inquiry became necessary. Accordingly in 1866, a Committee was appointed, presided over by Sir Alexander Milne, who was now one of the Lords of the Admiralty. The hon. Gentleman now complained that the recommendations of that Committee had also been neglected. He must say, however, that, in his opinion, the hon. Member had somewhat overstated this part of his case. The hon. Member had referred to a point on which the medical officers were very sensitive—namely, their relative rank in regard to the other officers of the army, and particularly to the position which the medical officers occupied when called upon to assist in mixed Boards of Inquiry. The fact, however, was that the Committee recommended that when medical officers were engaged on such boards they should be entitled to occupy the position which their relative rank entitled them to; but at the same time it was recommended that mixed boards should not be continued. Now, whatever might be the merits or demerits of these mixed boards, he, being an unprofessional man, was unable to say; but it was at all events clear that that recommendation absolutely confirmed the rule that if medical officers did sit on mixed boards they should have the benefit of their full rank. Then as to the position of medical officers at the mess, the recommendation was that if they did not enjoy their full relative rank they should be allowed to hold the second place. That recommendation also had been acted upon, and in his judgment met the difficulty of the case. Again, there were recommendations respecting the position which medical officers were to occupy in the army, and the greater part of these recommendations were acquiesced in. It was true that a recommendation that they should be restored to the classification which they formerly held had been disapproved at the Horse Guards and at the War Office; but this was, he believed, a point of minor importance. The hon. Gentleman had thought that the medical officers should be allowed to have chargers, and to appear mounted on parade; but the fact was that the recommendation was to the effect that it should be compulsory on them to do so. It appeared, however, that whether in consequence of medical officers of infantry regiments not being skilful, or from other causes, that this was regarded by the medical officers not as a boon but quite the reverse, and therefore the recommendation had not been enforced. He was surprised that the hon. Gentleman should have touched so lightly on the rate of pay which the medical officers received, and in this respect he challenged the hon. Member to say that they were not most generously and liberally treated? [Mr. SYNAN: I said so.] Surely, then, when the hon. Gentleman made a complaint that these officers were not well treated, he must admit that that was a most important exception. He did not believe that any Gentleman would remain thirty years an assistant-surgeon if he were worth promoting. With few exceptions he believed that the recommendations of the Committee had been literally and in spirit carried out, and that the army surgeons, so far as these recommendations were concerned, had no ground to complain. That there was a deficiency of candidates both for the army and the navy was unfortunately the fact; and he should be glad to make any arrangements which he consistently could make in order to render the military service more attractive.

SIR ROBERT ANSTRUTHER said, he thought the officers both of the army and of the navy had been very handsomely rated as to pay by the right hon. Baronet. As the right hon. Baronet said the whole cause of the dissatisfaction existing among the medical officers of the army had arisen from the alteration in the Warrant of October 1, 1858. Had that Warrant been carried out Parliament would not have heard a word of these complaints, and the present dearth of first-class medical men in the army would not have been as lamentable as it now is.

MR. SYNAN said, that after the explanation of the right hon. Gentleman he should not press his Motion.

Amendment, by leave, *withdrawn.*

CASE OF FULFORD AND WELLSTEAD.

MOTION FOR AN ADDRESS.

MR. P. A. TAYLOR said, he rose to call attention to the conviction of two men, Henry Fulford and Mark Wellstead, for poaching, by the Salisbury bench of county magistrates, in March last, and to move an address for a copy of the depositions on which such conviction was based. He was not without hope that his Motion would be acceded to, as he would have no difficulty in proving his case to the House. If his case was an erroneous one, it was due to the magistrates whose conduct was impugned, to the administration of justice in this country, to the public feeling of the people in the neighbourhood where the alleged outrage on justice was committed, that its error should be fairly and fully established. On the contrary, if the case he brought forward could not be gainsaid or contradicted, it was due to those who had been aggrieved that they should not be left without the sympathy of the House. The gentleman upon whose authority he made his statement was the Rev. Richard Payne, vicar in the immediate neighbourhood where this affair took place. He had not the honour of Mr. Payne's acquaintance, he had never seen him, but knew something of him by report, and he could assert that as regarded education, social position, and what was at least as valuable—prudence and discretion—he could not possibly call into court a more creditable or satisfactory witness. It was due to this gentleman to say that he (Mr. P. A. Taylor) brought him forward on his own responsibility and from a sense of public duty. That gentleman had made no request to be brought forward in connection with this matter, and when communicated with he said it would be more agreeable to him to allow the matter to drop; but that if he (Mr. P. A. Taylor) thought it a matter of public duty to bring the case forward, he could say that he was unable to give him a single circumstance in mitigation of the facts. Now, the facts were these:—On the 26th of March last, George Pilgrim, a gamekeeper, took out summonses for poaching against George Fulford, Henry Fulford, and Mark Wellstead. About the first-named of these three men no question arose that he was guilty, and he absconded. Henry Fulford and Mark Wellstead, however, appeared and protested that they had been in bed the whole night. The gamekeeper swore that in the early spring morning, an hour before sunrise, he saw three men running away, and that defendants were two of them. This was all the testimony against them. On the other hand, it was sworn by the father of one that his son was sleeping in the same room with him at the time; and the father and mother of the other deposed that he was sleeping in the same room with them. The woman who appeared to be a remarkably conscientious witness deposed that she slept as usual that night, but she could positively testify that the prisoner was in bed at nine o'clock at night, and at five o'clock in the morning. Stephen Deer swore that he saw two men running away, and that the two men taken up were not those he saw running away. They had, therefore, the assertion of the gamekeeper on the one side; while on the other hand, they had in the one case two witnesses, and in the other three witnesses swearing in direct contradiction. One would have supposed that if the balance of evidence was not in favour of the prisoner, yet if there was a doubt the prisoner would have had the benefit of it. But—

> "Things bad begun make strong themselves
> by ill."

Things were indeed bad begun for these poor men when country gentlemen entered that court and took their seats on the bench against men who in point of fact were offenders against them. And the thing that was bad begun made strong itself by ill, because it predisposed the magistrates to weigh in a false scale the evidence produced before them, and to violate the first principle of English law, that a man was to be held innocent till he was found guilty. In this case the magistrates, in spite of the testimony which had been adduced in favour of the prisoners, found them guilty. Fulford was lightly treated, and only sentenced to six weeks' imprisonment, because his character had been hitherto irreproachable; while Wellstead received three months, because he had before been convicted of poaching. Now, the first thing which struck one in this case was, not merely the fact that the magistrates accepted as gospel truth the testimony of the gamekeeper, but they seemed to think him such an unquestionable witness that they did not think it was worth their while to cross-examine him. They refused even to cross-examine him, and although they did not go so far as to charge the woman by implication with perjury, they intimated that she possibly might have been mistaken, and that although she saw her son in the bed-room at nine and at five, yet, in the interval, he might have gone out when she was asleep and done his little bit of poaching. If they had taken the trouble to cross-examine Pilgrim the gamekeeper, they would have found that he deposed to seeing the men at a quarter to five, one mile away from his home. Either, then, the men were innocent and the gamekeeper had made a mistake, or the father and mother had perjured themselves. But Pilgrim the gamekeeper was not altogether an irreproachable witness; for on a previous occasion there had been a conviction on his evidence, in which he had been proved to be wrong; and singularly enough the clerk of the magistrates urged that in his favour, because he said that having made such a mistake once before, he would be likely to be more careful on a future occasion. If that was the idea of justice these persons entertained one could not but be filled with admiration at the entire harmony and homogeneity which characterized all the surroundings of this case, both with respect to the magistrates and their clerk. As was the magistrate so was the clerk, and as was the clerk so was the only witness. Pilgrim, indeed, said that he had another witness, but when asked why he did not bring him forward, he said, "Oh, the magistrates would be satisfied with his word;" and so the clerk said to Mr. Payne—

> "If you are dissatisfied with the conviction, appeal to the Home Secretary; he will refer to the magistrates, and the magistrates will report;"

implying that their Report would end the whole matter, and the inference being that the clerk would put the reply into his pocket, and they would hear no more of it. But while the magistrates and the clerk affected to believe the men guilty, all the neighbourhood knew they were innocent; and they knew it for the reason that they were perfectly cognizant of who had committed the offence. Mr. Payne says—

> "I did not willingly interfere in this matter; but it was too much for any man with any sense of justice, or self-respect, to put up with."

He then goes on to say—

> "For some time I heard unpleasant rumours; but, in what I now think a misplaced confidence in the administration of justice, I made no inquiry; at last I was forced to do so, and was put into communication with one of the real culprits, Charles Moody, who told me the whole truth of the matter."

He was thoroughly convinced that George and Mary Wellstead were thoroughly trustworthy witnesses; and, moreover, the men in question had confessed that they were the real offenders. The House would perhaps be of opinion that upon this fact coming to the knowledge of the magistrates, they would at once hasten to undo the wrong of which they had been guilty, and that the post and the telegraph would alike be set in motion to secure the men's release. Mr. Payne took the man who had made the confession before Mr. Hinxman, one of the committing magistrates; he confessed himself to be the real offender, and showed his knowledge of the other. This offender was Stephen Deer, who swore that the prisoners were not the men; but also swore falsely, being unwilling to commit himself, that he did not know who the real offenders were. Mr. Payne naturally thought that the magistrates would have done the men justice, and have applied to the Home Office to release them from prison; but, to his surprise, on the 20th of May he received a letter from Mr. Hinxman that he had heard from Lord Folkestone, and that after a careful consideration of the evidence and otherwise, they must decline taking any further steps in the matter. The House would observe that those magistrates who sit on the Bench to administer justice supplement the evidence by the words "and otherwise." Did that "otherwise," which apparently weighed so strongly in the consideration they gave to this case, mean vague rumour, or evidence that might have been called? He believed that it would be found to mean that a man named Sherwood saw the men running away, attempting to disguise themselves; that he recognized one of them as George Fulford, but could not recognize the other two; and he it was who told Pilgrim, the gamekeeper, that he thought he was not far wrong. It turned out afterwards that these men were Stephen Deer and Charles Moody; and Moody being a remarkably little man, when that description was given to the gamekeeper, he rushed at once to the conclusion that it must be Wellstead, because he also was a little man. Well, notwithstanding that all this evidence was procured and forwarded to the Home Secretary, the right hon. Gentleman declined to interfere in the matter. It would be impertinent on his part to attempt to guess why the right hon. Gentleman declined to interfere; but he conceived that he must have been animated by one of two reasons. He had either looked into the evidence upon which the magistrates had decided the case, and come to the conclusion that those magistrates were right, or he declined to look into the evidence at all. If the former was the case, he could only say that the Home Secretary's mode of weighing evidence was as peculiar as that of the magistrates themselves; and if the right hon. Gentleman never looked into the evidence at all, then the result was that the public were bound hand and foot, and were absolutely in the power, and at the mercy, of these county magistrates, and they might do as they liked without an appeal to the Home Secretary. It was somewhere before the 29th of May that Mr. Payne wrote to the magistrates, and afterwards sent the information to the Home Secretary, stating that this unhappy case never stood upon more than one leg; and now that the evidence of the gamekeeper had broken down, it had no leg left at all. The people of the neighbourhood were quite of that opinion; for a petition signed by great numbers, from the vicar, churchwardens, and inhabitants of Downton, was prepared, praying for a reversion of the sentence. How much this may have influenced the Minister I know not, but on Tuesday, June 17th, orders were sent down that Wellstead should be released. Now, this man was released because he was not guilty; and Mr. Payne thought that, at least, the justice would be done of releasing his bail from reponsibility; and, accordingly, on the 18th of June, he wrote to the Home Secretary stating that it was hard enough upon the poor man to have suffered an unjust imprisonment; but it would be still harder on him if his bail were not released; but it was almost incredible that no answer whatever had been received to that application. This was the case which he had to present to the House. They sometimes heard it charged against Reformers that in their speeches they endeavoured to set class against class; but was there ever a case more likely to set the peasantry against the squirearchy than the one which he now brought forward? Let hon. Members try to bridge over the abyss that separated them from that class—put themselves in their position, and imagine what would be their feelings if subjected to the gross wrong and injustice to which these men had been subjected. He was quite sure that hon. Gentlemen would feel most indignant if, under such laws as the Game Laws, they were wrongfully accused, and sent to prison upon the oath of a single gamekeeper, counter-proved by evidence upon evidence. Indeed, he was not quite sure that the feelings of what had been called by a high authority the "wild justice of revenge" would not enter their minds. What must be the feeling of hopeless insecurity among the people of this neighbourhood, not one of whom was sure that they might not be made the victim of some serviceable rascal anxious to procure a conviction which he knew would be pleasant to his master, and whose oath would be held to weigh more than any number of witnesses that they could bring, especially when the charge was knocking over a hare which happened to be nibbling his cabbages, crossing the road, or nibbling on his master's pasture. He did not hesitate to say, that, even if there had been no evidence brought forward to rebut the evidence of the gamekeeper, the evidence of the latter was not sufficient to have convicted these men. He would ask the House seriously to consider for one moment how such a state of things affected these poor people? He would say that in this case and in all similar cases—he said in all similar cases—because they all knew that this was a sample of scores and hundreds occurring through the length and breadth of the land. He said that in this and similar cases a terrible wrong was done, a reckless denial of justice was perpetrated —a wrong which, were not the peasants the mildest and kindliest people on the face of the earth, did they not carry forbearance and meekness almost, if it be possible, to a fault, no class, however powerful, would dare to inflict on any portion of their fellow-countrymen, however humble. He begged to conclude by moving an Address for a Copy of the Depositions on which this conviction had been based.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Depositions on which the conviction of two men for poaching by the Salisbury Bench of County Magistrates in March last was based,"—(*Mr. Taylor*,)

—instead thereof.

MR. MARSH said, that, as one of the Salisbury Bench, he wished to say a few words on the subject. With reference to the last observation of the hon. Gentleman, he could not help remarking that, if hundreds of such cases were occurring, it was strange the House of Commons did not hear of them when there were so many hon. Gentlemen who would be willing to take them up. As to the particular case itself, he had very little to say, because he was not present on the occasion of the conviction. But he was intimately acquainted with the two magistrates who presided at the hearing of the case, and he knew that no more honourable men could be found. With reference to the sneer of the hon. Member for Leicester as to one of them being a game preserver, he might observe that the gentleman referred to was no game preserver at all. The other (Lord Folkestone) was the son of a most able magistrate, and such was the reputation of the noble Lord himself, that it was likely he would be the Chairman of the next Quarter Sessions. He thought that no suspicion rested on the magistrates. The evidence which the House had heard that night was all on one side—the evidence of mothers, fathers, and other relatives of the accused; while, on the other hand, there was, no doubt, considerable inconsistency in the evidence given before the magistrates, who would, he felt assured, have never wilfully injured any persons, however humble.

MR. GATHORNE HARDY said, that the hon. Member for Leicester had taken a course on this occasion which he hoped he should never see followed in that House. No doubt, honour, virtue, and integrity would die with the hon. Member, and not be found elsewhere. He had presumed in a tone as unjustifiable as any which had ever been heard in that House to speak of the magistrates who had acted in the case. Those gentlemen were no acquaintances of his; but he must protest against the hon. Member for Leicester speaking of them as men who had the baseness to convict two persons on evidence which they knew to be false, simply because the witness against them was a gamekeeper. If the hon. Member knew anything about what passed in Criminal Courts, he must know that mistakes as to identity occurred in other cases as well as those in which the accused were charged with breaches of the Game Laws. He disdained to answer the charge which the hon. Member had brought against himself. From the first he had been perfectly disinterested in the matter; and, when the circumstances were brought before him, he took the course which appeared to him to be the correct one. It appeared to him, on a careful review of the facts, that there was so much doubt in the case that it was his duty to release the men. One of the men, Henry Fulford, had completed the term of his imprisonment six weeks before the case was laid before him, and during the six weeks no remonstrance had been made by, or on behalf of—that man as far as he was aware of no remonstrance had been sent in to the Home Office. It must be remembered, too, that those persons had an opportunity of appealing to the Quarter Sessions if they thought that they had been wrongly convicted. Henry Fulford remained in prison for the full period of his sentence, and when the case was brought under the notice of the Home Department a number of statements were made, and he received several letters on the subject of the conviction. He knew from his experience at the bar how difficult it was to arrive at a proper conclusion as to evidence without having the witnesses before you face to face. Without affecting, therefore, to come a strict conclusion as to the guilt or innocence of the parties—because he knew how difficult it was to come to a sound conclusion in cases of *alibi*—yet, believing there was much doubt in the case he thought it was better to let the man who was still in prison be discharged. At the same time he gave directions that the men should be set free from their bail. If that had not been done, it was not his fault. In the first instance this case had been taken up in a very different spirit. It had been brought forward by the hon. and learned Member for Richmond. How had it fallen into the hands of the hon. Member for Leicester? He did not handle it in the same spirit as that displayed by the hon. and learned Member for Richmond. The hon. and learned Member for Richmond had spoken of the magistrates in the eulogistic terms which had been applied to those gentlemen by the hon. Member for Salisbury. He did not say that a mistake had not been made. He should not have allowed the man to be released if he had not thought that there was great doubt in the case; but game prosecutions were not the only ones in which persons were convicted on the evidence of one witness. The cases in which there were convictions on the evidence of one witness were numerous. There had been a prosecution in which seven persons were convicted on the testimony of one witness, though several *alibis* had been set up. Afterwards the prisoners indicted for perjury the person who had sworn against them; but they failed to prove that the case which had been made against them was not perfectly right. In spite of all these *alibis* a jury which saw these men face to face, and saw them examined and tested in a proper way, came to the conclusion that they would believe the one man against all the witnesses who supported the *alibis.* If evidence were to be estimated by the number of witnesses rather than by its own weight, as the hon. Member for Leicester seemed to think it should, we should come to most unjust decisions. The hon. Member remarked that one of the magistrates had said something about "evidence and otherwise." The new evidence adduced in support of the *alibi* on the part of one of the defendants, except that of his father and mother, was all "otherwise;" it was not given on oath before the magistrates, but sent subsequently to the Home Office. Therefore, what the magistrate referred to was the result of inquiries he had made, which he supposed confirmed his decision. Without discussing whether it was right or wrong, he believed it was fairly, honestly, and justly given, because the magistrates believed the evidence adduced. There was no cross-examination, nor was it the duty of the magistrates to make such a cross-examination as the hon. Member supposed. The hon. Member's idea of cross-examination was an extraordinary one. He had said the witness Pilgrim was not cross-examined as to what Stephen Deer had said about seeing some man running away a mile off. It would have been a most extraordinary thing to have asked Pilgrim about what Stephen Deer had seen a mile off.

MR. P. A. TAYLOR said, what he had stated was that Pilgrim ought to have been cross-examined as to when and where he saw the three men running away.

MR. GATHORNE HARDY said, the mother had sworn that her son was in bed about five o'clock, and the keeper had said he saw the man between four and five o'clock between one and two miles from the cottage in which he lived. The magistrates knowing how indefinite evidence as to time frequently was, believed from the evidence before them that there was time for the man to have got from where the gamekeeper saw him to the house where he lived, at the hour stated, without imputing perjury to the father or mother. It was clear that there was a case of poaching, and Stephen Deer said that George Fulford, who had absconded, was one of the men, and he did not know who the others were. This man Deer had been convicted several times for poaching, and the magistrates did not rely much on his testimony. He had subsequently said that he himself was one of those who were running away, and that a man named Moody was the other; but when he appeared before Mr. Hinxman, the magistrate, he was believed by that gentleman to be drunk, and the magistrate's mind was not much affected by what he said. He must say that nothing could have convinced him more than the manner in which this case had been brought before the House of the impropriety of bringing up in the House, as a Court of Appeal, such cases. After the tone and spirit of the speech that had been made by the hon. Member for Leicester, he must say that he never heard any one attempt to enter upon a judicial investigation in so unjudicial a manner. The hon. Gentleman had treated the magistrates in this case worse than the magistrates would have treated any witness who had been known to have perjured himself on a former occasion, and had assumed, that because the case was one of poaching, the magistrates had dealt with it in a different manner to that in which they would have treated any other case. He might just as well have said that in any ordinary case of robbery magistrates had so deep an interest in protecting their neighbours' property that they would believe any charge that was brought before them. One of the magistrates, it appeared, was not a game preserver, and he ought at least to be regarded as a disinterested person. However, it was not for him (Mr. Hardy) to defend the magistrates. He believed most firmly that the bench acted upon their sense of what was right, that they weighed the evidence, and further, he believed that the gamekeeper himself committed no wilful error. He (Mr. Hardy), however, thinking that great doubt had been thrown upon the case, ordered the man to be set at liberty; but he repeated that he did not think that the magistrates had done anything to subject them to censure.

MR. J. STUART MILL said, that since he had the honour of being a Member of that House he had never heard so unjustifiable an attack made upon any Member of it, as that which had been made on his hon. Friend by so high a functionary as the right hon. Gentleman. That right hon. Gentleman had not shaken a single word of the statement which had been made. The right hon. Gentleman had only misstated what his hon. Friend had said, being too angry to attend to him. The right hon. Gentleman said the magistrates believed the evidence given before them to be true; but the whole strength of the case was that the tendency of magistrates was always to believe the evidence of gamekeepers. Whether that was so or not, it was the general opinion, and this was an extraordinary and emphatic corroboration of that opinion. It was not denied that Pilgrim had made an unfortunate mistake as to identity before, and that on his evidence this person was found guilty, notwithstanding the other evidence and that the error was not corrected until evidence had been produced in addition—namely, the self-crimination of other persons. One would think it was the imperative duty of the magistrates to sift the matter to the very bottom, and to take care that the whole should be perfectly understood, so that they might be sure that they were not continuing to perpetrate a great injustice. As to appealing to Quarter Sessions, persons in the labouring class in the rural districts were not likely to appeal from magistrates to magistrates; they were too much afraid, and too much cowed to do that; and, besides, they had not the pecuniary means. The only other thing they had heard, was that one of these magistrates was likely to be appointed chairman of Quarter Sessions, in which office he would have to perform some of the most important judicial functions that could devolve on any person in these dominions, with the least amount of responsibility. They might be honourable men; but honourable men were sometimes singularly prejudiced, singularly unjudicial, and singularly disposed to believe in the sufficiency of evidence in a particular kind of charge.

MR. NEATE said, he thought that the hon. Member for Leicester in bringing forward what he believed to be a gross case of magisterial misdeeds, had been rebuked by the Home Secretary in a tone which ought not properly to be adopted.

SIR MICHAEL HICKS-BEACH said, he could bear his testimony to the character and position of the two magistrates whose conduct had been attacked. There were no more honourable men to be found, or men more capable of discharging judicial functions. The subject had been brought forward in a style and tone which reflected infinitely greater discredit on the hon. Member than any remarks he had made could do on these magistrates. He hoped the House would not allow the Motion to be withdrawn, but express their sense of it by rejecting it by a large majority.

MR. W. E. FORSTER asked the Home Secretary if he intended to produce the depositions? [Mr. GATHORNE HARDY said there were none.] He had rather supposed that was the case. He regretted the magistrates were unable to give the grounds upon which they made the conviction. He would, therefore, move to add to the Motion that the right hon. Gentleman should give the Correspondence that had taken place between him and the magistrates. The right hon. Gentleman shook his head; but he (Mr. Forster) could not understand why he should refuse to produce the Correspondence. If no notes were taken he was at a loss to know where the right hon. Gentleman got the information on which he acted. The right hon. Gentleman had expressed his surprise that notice had been taken of this matter. It was not a case that could escape being noticed. The right hon. Gentleman released the man that was convicted, and thereby he admitted that injustice had been done to the man. His own speech showed that it was necessary to take notice of the case.

MR. A. SEYMOUR said, that, as a Wiltshire magistrate, he was surprised to hear what had fallen from the Home Secretary with reference to the depositions. He had never known a case where notes were not taken, which were called depositions. If none had been taken by the clerk to the magistrates, all he could say was that the practice was most reprehensible. He was intimately acquainted with the two magistrates referred to in this case, and it would be useless for him to add anything to what had been said in their favour on both sides of the House, as men of honour and men who would not have convicted any man unless they thoroughly believed at the time that the men were guilty.

Mr. GATHORNE HARDY said, depositions were distinct things, and well known to the law. They were taken down, read over, and signed by the witnesses, and they became formal documents that could be produced when required. In summary convictions it was only usual to take short notes.

Mr. KINNAIRD said, that these men had suffered punishment at the hands of the magistrates who were evidently interested parties. There could be no doubt the gentry and magistrates in this county were game preservers, but they held in Scotland that it was inexpedient that game preservers should adjudicate in cases of this kind, and they were endeavouring to substitute the sheriffs of the county for such interested judges. The right hon. Gentleman had spoken of the hereditary judicial mind of one of the magistrates connected with this case. They might have a hereditary Legislature, but a hereditary judicial mind was something remarkable. As this matter had attracted a great deal of public attention, he thanked the hon. Member for having brought it forward. When we obtained a reformed House of Commons, cases of this nature would obtain larger proportions in the Legislature than hon. Members imagined.

Mr. HENLEY said, the hon. Member for Perth had given the sanction of his high approbation of the moderate course pursued by the hon. Member for Leicester, that moderation being that, without one title of proof, he had asserted there were hundreds of cases like this. The hon. Member for Bradford was not justified in saying that the Home Secretary had admitted that wrong had been done by these magistrates. The Home Secretary most carefully avoided making any such admission. He said there was a conflict of evidence, and he determined to give the convicted man the benefit of the doubt. All men were liable to mistakes, but they were not all open to the charge of having done so wilfully. They had been told by the Home Secretary that he entertained some doubts about this case, and that being so he had given the prisoners the benefit of them and discharged them. He never heard a case which showed more than this how unfit a tribunal this House was to have such cases brought before them. The hon. Member for Westminster, wishing to approach the case in a judicial spirit, had been seeking information on which to form an opinion, and he had been going all over the town whooping and making inflammatory speeches to large masses of his countrymen on this case, and now he came there, and sought to treat the question like a Judge. He (Mr. Henley) held that the men could and ought to have appealed if they felt themselves unjustly treated; but it was impossible that the magistrates could discharge them, as the hon. Member had demanded. The hon. Gentleman must have known, or ought to have known, that the magistrates had no power to discharge. It had been properly stated that in cases of summary conviction there were no regular depositions; short notes were taken by the clerks, and it was his opinion that more mischief than good was done by the practice. The magistrates might convict on points not written down by the clerk; notes were not read over, and he would venture to say that not one magistrate in fifty knew what his clerk took down. Both parties were convicted by an imperfect record; and it should not be forgotten that Courts of Petty Sessions were not Courts of Record. He thought this case afforded a striking proof how unfit the House was for a tribunal of appeal.

Lord ELCHO said, he was not present when the hon. Member for Leicester made his statement; but he gathered from what he had heard in the course of the debate that both sides of the House found fault with him, not for bringing it forward, but for the style, and tone, and manner in which he had done it. He contended that any man who had much experience in such cases must be satisfied that, on the whole, substantial justice was done by the magistracy both in England and Scotland, and if they were dissatisfied with the system, the only remedy would be to abolish the unpaid magistracy altogether.

Mr. CHILDERS said, he had been

rather surprised at the excitement which had been displayed in the course of the debate, as it seemed to him that the case was a very plain and simple one. Two men appeared to have been convicted for poaching by two magistrates, against whom personally nothing had been objected; although some very irrelevant remarks had been made as to the father of one having a judicial mind. The evidence was the unsupported statement of a gamekeeper, who had been mistaken in a previous instance, and that evidence had been deemed insufficient by the Secretary of State.

Mr. GATHORNE HARDY said, he had not made this statement. The evidence taken before the magistrates might have been perfectly sufficient.

Mr. CHILDERS said, he was anxious to keep within perfectly fair limits; but it was at least evidence which required to be supplemented, and which, according to the right hon. Gentleman's ultimate decision, left the matter in doubt. The case had been taken up by a neighbouring clergyman, and after some delay, for which the right hon. Gentleman did not appear responsible, the men were discharged. If the matter had had no reference to the Game Laws the House would have heard nothing of it; but considering the excitement in the country which it had occasioned, it would be only reasonable that any Papers on the subject should be produced. In Yorkshire the notes taken at a magistrate's court were held to be public property, as undoubtedly they were. He thought it would be very unfortunate, after the debate that had occurred, if the Government refused to produce the Correspondence between the magistrates and the Home Office, and he would suggest to the hon. Member for Leicester to alter the terms of his Motion to that effect—merely asking for copies of the Correspondence.

The CHANCELLOR of the EXCHEQUER said, that one would suppose from the tone of the debate that the Home Secretary had in some tyrannical manner imprisoned one of Her Majesty's subjects; the fact being that the prerogative of mercy had been exercised on behalf of the imprisoned men by the advice of his right hon. Friend. His right hon. Friend had been subjected to a great many reproaches for having performed in the discharge of his office an act of a most generous character. The Motion of the hon. Member for Leicester was virtually to ask the House to form itself into a Committee to inquire under what circumstances he had exercised the prerogative of mercy. That was a most unusual proceeding. They ought to be satisfied that they had the happiness of living in a country where there was such a prerogative, and where there were Ministers who would recommend their Sovereign to exercise it. It was surprising that such conduct should be criticized. The hon. Gentleman had also moved for documents which did not exist, and it was notorious that in cases of summary jurisdiction, and in Courts which were not Courts of Record, depositions were not taken, but only notes, and the form of taking those notes varied in different districts. The Motion for the Correspondence was unprecedented. The Home Secretary was constantly corresponding with magistrates, and it was utterly impossible to assent to the production of Correspondence in the present case. If it is the opinion of the hon. Member for Leicester that there has been any miscarriage of justice or any oppression, there are means by which redress can be obtained; but it is not by bringing such a Motion as this before the House of Commons that redress can be had.

Mr. GRANT DUFF thanked the hon. Member for Perth for his expression of the opinions entertained by Scotchmen on the subject of game. The noble Lord the Member for Haddingtonshire, with his usual easy assurance had endeavoured to put those opinions aside. But there was another opinion which Scotchmen entertained with equal tenacity, and that was that the Bill introduced by the noble Lord on the subject of game was an imposture and a sham. He hoped the hon. Member for Leicester would divide.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 70; Noes 31: Majority 39.

Original Question again proposed, "That Mr. Speaker do now leave the Chair."

Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Mr. Otway*,)—put, and *agreed to*.

House adjourned at a quarter before
Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 8, 1867.

MINUTES.]—Public Bills—*First Reading*—Sir John Port's Charity * (206).

Second Reading—Linen and other Manufactures (Ireland) * (186); Public Records (Ireland) * (204); Edinburgh Provisional Order Confirmation * (198).

Select Committee—Report—Local Government Supplemental (No. 4) * (167 & 207).

Committee—Consecration of Churchyards (No. 2) (208); Limerick Harbour (Composition of Debt (138); War Department Stores Protection * (183 & 209); Charitable Donations and Bequests (Ireland) * (177).

Report — Limerick Harbour (Composition of Debt) (138); Charitable Donations and Bequests (Ireland) * (177).

Third Reading—Morro Velho Marriages * (182), and *passed*.

CONSECRATION OF CHURCHYARDS (No. 2) BILL.—(No. 144.)

(*The Bishop of Oxford.*)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Power for Bishop to sign Instrument of consecration at Churchyard without presence of Chancellor, &c).

Lord PORTMAN moved an Amendment, the object of which was to enable the Bishop to perform the acts necessary for opening a Churchyard without going personally to the ground.

Amendment *moved* to leave out ("at the Churchyard or in the Church to which it belongs.")—(*The Lord Portman.*)

The Bishop of OXFORD said, that under the existing law the Bishop was required to perform certain acts on the ground set apart for burials, and in the presence of his Court, his Chancellor, and other officials. It was proposed by this Bill, in order to reduce the expense of the ceremony, to relieve the Bishop of the necessity of taking his Court with him, and to provide an inexpensive mode of witnessing his performance of the necessary acts. But it would be going too far to empower the Bishop to perform the acts not in the place itself, but at any distance from the place. His noble Friend did not usually propose to add thus largely to the powers of Bishops, and the promoters of the Bill did not propose that a Bishop sitting in his lodgings in London should be able to consecrate a churchyard in Cornwall. The service of consecration was one which addressed itself to all the better feelings of the people; and unquestionably consecration would become a mere piece of formalism if, instead of a Bishop going through the service and the people being affected by it, he was to consecrate a place at a distance of 150 miles. The whole purpose of the Bill was to diminish expense to parishes by rendering it unnecessary for a Bishop to be accompanied by his Court; but if the Amendment were adopted and the necessity for a Bishop's attendance dispensed with, the effect of the alteration would be to change the whole theory of consecration. As the Bishops were satisfied with the provision which imposed upon them the trouble of personal attendance, he trusted they would be allowed to undertake it.

The Earl of PORTSMOUTH said, that cases had arisen of a Bishop whose age and infirmities obliged him to delegate the duties of consecration to a stray Bishop who happened to be within the diocese, or to a Colonial Bishop. Now doubts had arisen as to the legality of consecrations so performed by Colonial Bishops, and, in consequence, the consecration of a cemetery had been deferred, and in one case burials had been performed by licence until the Bishop could attend to consecrate the ground. With the object of avoiding difficulties of this character, he cordially supported the Amendment of his noble Friend. The Archdeacon had the care and charge of churchyards and churches, and the question arose whether the Archdeacon's certificate of consecration might not be accepted as sufficient.

The Bishop of LONDON said, he fully concurred in the opinion that it was the practice of the Church that consecration should always take place on the spot; he believed it was the unwritten law of the Church; but this would be the first instance in which the requirement had been embodied in a statute. There was at present a certain degree of ambiguity as to whether the presence of the Bishop on the spot was absolutely required or not; and if the few words objected to were omitted from the Bill, there would still be no interference with the practice of consecration, and the Bishop would still usually be called upon to consecrate. If his presence was required by Ecclesiastical Law, of course he would be present, but as there was a doubt about it, although it was but a slight one, it seemed undesirable to decide by this Bill that he must be present—for the Bill would make it impossible for him to be absent—while at present there was a doubt whether his presence was absolutely required or not. As to the Colonial Bishops, he believed the doubt that had existed had been entirely removed. Indeed, unless he was mistaken, it referred only to one or two Indian Bishops, and it was now decided, with reference to Colonial Bishops generally, that consecration by them was perfectly valid. With regard to the necessity for reconsecration when a church had been enlarged, there was one point which seemed to be lost sight of. The effect of consecration, whatever else it was, was to hand over a place as property for a certain purpose. It was analogous to the legal act of taking possession. If you had a house and rebuilt it, you did not require to enter into possession of it again. But if you added twenty acres to an existing estate of twenty acres, in law you would be required to take possession of the new land. This fresh conveyance of additional land was analogous to the fresh consecration of a church when its area had been enlarged. If it were re-built on the same spot, there was no necessity for re-consecration, unless the position of the Communion Table had been changed by an advance of the building.

Earl GREY said, that the tendency of the Bill and of the argument in support of it was to convey the impression that some mysterious good was produced by the ceremony of consecration.

The Bishop of OXFORD said, he was willing to omit from the clause the words "not elsewhere," but he could not give up the rest of the clause and must take the decision of their Lordships if the compromise he offered were not acceptable. The argument suggested by the noble Earl was one of which their Lordships ought to be specially cautious. Because there were persons who, in the judgment of the noble Earl, were endeavouring to introduce superstitious views into the Church, he would have them not only exclude those superstitious views, but go a great way on the other side and strike at existing customs with which no superstition whatever was connected. This was one of the worst arguments possible, and he was sure that the adoption of it would encourage superstitions instead of keeping them out of the Church. If that with which the Church was universally familiar and which contained no superstition should be swept away, the effect would be to enlist on the superstitious side the sympathies of whose who loved the present unsuperstitious use. In point of fact, there was no superstition whatever in consecrating a churchyard, any more than there was in saying grace before dinner, and no more mysterious power was exercised over the ground consecrated, than upon the meat over which grace was said. He was personally willing to leave out the words "but not elsewhere," though he must give his hearty opposition to the proposal to strike out the rest of the clause.

On Question, That the said Words stand Part of the Clause? their Lordships *divided*:—Contents 81; Not-Contents 35: Majority 46.

CONTENTS.

Canterbury, Archp.
Chelmsford, L. (*L. Chancellor.*)

Beaufort, D.
Buckingham and Chandos, D.
Marlborough, D.
Richmond, D.
Rutland, D.

Abercorn, M.
Bath, M. [*Teller.*]

Amherst, E.
Bantry, E.
Bathurst, E.
Belmore, E.
Brooke and Warwick, E.
Carnarvon, E.
Dartmouth, E.
Derby, E.
Devon, E.
Graham, E. (*D. Montrose.*)
Harrowby, E.
Home, E.
Leven and Melville, E.
Lucan, E.
Malmesbury, E.
Nelson, E.
Powis, E.
Romney, E.
Shrewsbury, E.
Sommers, E.
Stanhope, E.
Stradbroke, E.
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Wilton, E.

De Vesci, V.
Hawarden, V.
Sidmouth, V.
Stratford de Redcliffe, V.

Bangor, Bp.

Chester, Bp.
Cork, &c., Bp.
Gloucester and Bristol, Bp.
London, Bp.
Ossory, &c., Bp.
Oxford, Bp.

Abinger, L.
Bagot, L.
Brancepeth, L. (*V. Boyne.*)
Cairns, L.
Carew, L.
Churchill, L. [*Teller.*]
Churston, L.
Clinton, L.
Clonbrock, L.
Colonsay, L.
Colville of Culross, L.
Delamere, L.
Denman, L.
De Tabley, L.
Feversham, L.
Foxford, L. (*E. Limerick.*)
Hartismere, L. (*L. Henniker.*)
Heytesbury, L.
Hylton, L.
Inchiquin, L.
Lyttelton, L.
Lyveden, L.
Overstone, L.
Penrhyn, L.
Ravensworth, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Sherborne, L.
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Sondes, L.
Southampton, L.

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Strathspey, L. (*E. Seafield.*)
Vernon, L.
Wrottesley, L.
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Normanby, M.
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Airlie, E.
Camperdown, E.
Clarendon, E.
De Grey, E.
Effingham, E.
Ellenborough, E.
Granville, E.
Grey, E.
Kimberley, E.
Morley, E.
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Shaftesbury, E.
Halifax, V.
Sydney, V. [*Teller.*]

Carlisle, Bp.
Down, &c., Bp.

Aveland, L.
Charlemont, L. (*E. Charlemont.*)
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Foley, L.
Gage, L. (*V. Gage.*)
Monson, L.
Monteagle, L. (*M. Sligo.*)
Mostyn, L.
Ponsonby, L. (*E. Bessborough.*)
Portman, L. [*Teller.*]
Romilly, L.
Seaton, L.
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.

Clause *agreed to.*

Clauses 2 and 3, amended, and *agreed to.*

The Earl of DERBY moved the addition of the following clause:—

"And whereas Doubts are entertained whether in Cases where a Church or Chapel has been repaired or enlarged, and the external Walls have been partly destroyed, or the Position of the Communion Table altered, a Re-consecration or Reconciliation of such Church or Chapel be not necessary in order to the due and valid Administration of Divine Offices there: Be it declared and enacted, that all Marriages, Rites, and Ceremonies heretofore or hereafter celebrated or performed in a consecrated Church or Chapel, which may have been repaired or enlarged prior to such Celebration or Performance shall be valid and effectual for all Purposes, notwithstanding that upon such Repair or Enlargement the external Walls of such Church or Chapel may not have remained entire or the position of the Communion Table may have been altered, and notwithstanding that since such Repair or Enlargement neither a Re-consecration nor a Reconciliation of such Church or Chapel may have taken place."

The Bishop of OXFORD assented to the clause.

Clause *agreed to.*

Clause 4 (Short Title).

Clause amended by altering Title of Bill to "Church and Churchyards Consecration Act, 1867."

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed* as amended (No. 208.)

CONVOCATION AND THE COMMISSION ON RITUALISM.—QUESTION.

The Earl of SHAFTESBURY, who had given Notice "to call the attention of the House to the subjoined Letter from the Archbishop of Canterbury in the *Guardian,*" of 26th June, 1867, said, My Lords, I am aware that it is not usual for one Member of this House to ask a Question of another who is not a Member of the Government; but in putting the Question to the most rev. Primate (The Archbishop of Canterbury), of which I have given Notice, I act towards him as a great public functionary, and not only as Metropolitan of all England, but as President of the Upper House of Convocation—the very body whose powers are affirmed in the document I desired to bring under your Lordship's notice. If any doubt existed as to the public nature of this document, its postcript would set it at rest; for the most rev. Primate says to his correspondent, "You are quite at liberty to publish this." That being the case, I will read the letter addressed by the Archbishop of Canterbury to the Rev. H. T. Barnard, rural dean of Portishead. It is as follows:—

"Rev. and dear Sir,

"I have duly received the Memorial of the Clergy of the Deaneries of Chew and Portishead, expressing their Opinion of the Danger that would result from any Alteration to the Book of Common Prayer, &c., by the sole Authority of Parliament."

Mark these words, "the sole authority of Parliament," and these which immediately follow:—

I quite agree with the Memorialists in this Matter; and I have the satisfaction of informing them that Convocation will be duly consulted upon the Matters submitted to the Royal Commission alluded to, before Parliament shall make any Enactment touching them.—I am, Rev. and dear Sir, Yours, very faithfully, C. T. Cantuar."

"To the Rev. H. T. Barnard,
"Rural Dean of Portishead."

"You are quite at liberty to publish this.'

This letter, my Lords, acquires very great importance when taken in connection with the Memorial to which it is a reply. The Memorial is addressed to the Archbishop of Canterbury from a meeting of the Clergy of the Deaneries of Chew and Portishead assembled at Yatton, and these are its words:—

"That a Royal Commission has been appointed for the consideration of certain rubrics in the Book of Common Prayer, and of the Table of Proper and Daily Lessons, with power to suggest alterations in the said rubrics, and in the said

Table of Lessons. That, in the opinion of your memorialists, it would be opposed to the Divine principles of the Church, and unconstitutional and exceedingly distressing to the consciences of many sincere Churchmen, and would establish a most dangerous precedent, if any alterations in the Book of Common Prayer, or in the rubrics, or in the Table of Lessons, should be made by the sole authority of Parliament. Your memorialists therefore pray your Grace to withhold your sanction from any measure introduced into Parliament which shall propose any alteration in the Book of Common Prayer, or in the rubrics thereof, or in the Table of Lessons."

And mark these words—

> "Unless such alteration has been previously submitted to and approved by Convocation."

That is the Memorial in answer to which the most rev. Primate says, in effect, "I quite agree with all that is stated by the memorialists; I quite agree that it would be most dangerous and improper that anything should be done by the sole authority of Parliament;" and the most rev. Primate must also necessarily assert, if he agree with the Memorialists, "that no such alteration as that specified can be tolerated unless it be previously submitted to and approved by Convocation." Upon this I may be allowed to make one or two preliminary observations in order to show the value of the Question I am about to put. In the first place, I think that we have to inquire whether the Commissioners appointed to serve on the Commission were apprised at the time they consented to serve upon it that their decision would be subjected to the criticism and perhaps the revision of Convocation? We have also a right to ask what course will be pursued in case the decision come to by the Commission be submitted to Convocation, and Convocation come to a conclusion different from that of the Commissioners? What will be the state of things then? Which of the two decisions in that case will prevail? Having regard to these points, I say that upon the answer of the Archbishop to the Questions I am about to put will depend very serious issues. It is quite clear that if Convocation assert the powers here ascribed to it some collision will arise between it and the Parliament, which, I believe, is fully prepared to deny that Convocation has those powers. And, my Lords, if we ascertain from the most rev. Prelate that he has authority for what he states in his letter—if we understand from him that Convocation concurs with him in the opinion that nothing can or ought to be done in respect of "the matters submitted to the Royal Commission" by "the sole authority of Parliament," then it will be necessary for us to demand an explanation as to what is the meaning of Convocation. If Convocation is to be erected into a body of such power, we must know what Convocation really is; we must ask whether Convocation is to be confined to the single Province of Canterbury, or whether it is to be extended to the Province of York? Indeed, my Lords, we must look further, and ask whether Convocation is to embrace the Provinces of Dublin and Armagh, with the representatives of some 2,000 clergymen in Ireland? All this must be clearly set out before we can recognize Convocation as a power to which we are to yield or to listen; and we must know exactly what this great power is which has assumed such magnificent proportions and pre-eminence. We must then know what is the relation which Convocation is to bear to the two Houses of Parliament. When, too, such language as this is used we have a right to ask whether Parliament is not entitled to act by its sole authority, and whether Convocation has any concurrent jurisdiction? Indeed, we ought to learn whether the authority of Convocation be supreme, whether it be concurrent, or whether it be subordinate? All these Questions will depend upon the Answer which I expect to receive from the most rev. Primate, although it is quite possible that the Answer of the most rev. Primate may remove the apprehensions which his reply to these Memorialists has excited, not only in my own mind, but in the minds of others. I will, therefore, take the liberty of putting the Question of which I have given notice, and will ask the most rev. Primate on what authority it is stated that—

> "Convocation will be duly consulted upon the Matters submitted to the Royal Commission before Parliament shall make any Enactment touching them?"

LORD TAUNTON said, that before the most reverend Primate replied to the Question of the noble Earl, he desired to ask some information with reference to the Report of the Ritual Commission, because as their Lordships might remember, the second reading of the Clerical Vestments Bill had been postponed for a couple of months, a majority of their Lordships' House deeming it advisable that the Commission should have an opportunity of considering those questions to which it referred before the Bill was proceeded with. There was, however, a large minority, including eleven Prelates of the Church of England, in favour of immediate legislation. He would therefore ask the most rev. Primate how far the Commission had proceeded with the consideration of the subject, and how soon they would be in a position to make a Report? He should be exceedingly sorry if a Session passed without Parliament giving some proof to show that they were desirous of remedying evils which were inflicting a mischief on the Church of England which it was impossible to overrate. The feeling of the country would be greatly disappointed unless something were done.

THE ARCHBISHOP OF CANTERBURY: My Lords, I will first answer the Question of the noble Lord opposite (Lord Taunton) by stating that at a meeting of the Royal Commission held this morning, when 26 out of the 29 Commissioners were present, the following Resolution was unanimously agreed upon:—

> "1. The Commissioners, having at their first meeting resolved to report upon the question submitted to them on the ornaments of the Church and the vestments of the minister, before they applied themselves to any other branch of the subject, have already taken, and they are taking, evidence on this particular question, and as soon as that evidence is concluded they will apply themselves to a consideration of their first Report.
>
> "2. The Commissioners have now obtained in great part the information which they desired to receive as preliminary to their deliberations, and next week, or at the very furthest the week after next, they hope to be able to commence the consideration of their first Report."

Now, I have not the slightest difficulty in answering the Question of the noble Earl (the Earl of Shaftesbury) and although I at first entertained great doubt as to whether it ought to have been put at all; having given that point consideration, I do not wish to press that objection, but will at once proceed to answer it. I will, however, make this preliminary remark. I think my noble Friend has scarcely dealt quite fairly with me, in respect of my letter, because when I say "I quite agree" with the Memorialists he interprets those words as meaning that I agree with everything stated in the Memorial, which is really not the case. What I really agree with them in is in thinking that serious danger would arise from any alteration being made in the Book of Common Prayer upon the sole authority of Parliament, and to that opinion I still adhere. I think such alteration would raise very serious questions, and nothing would induce me to agree with it. When I am asked on what authority it is stated that "Convocation will be duly consulted upon the matters submitted to the Royal Commission before Parliament shall make any enactment touching them," my answer is — my authority for the statement is founded on law and precedent. That power alone that enacted the law can alter the law. The question then is, what authority enacted the Book of Common Prayer? The Book of Common Prayer was framed, sanctioned, and enacted by the joint authority of Parliament and Convocation. That I assert as an historical fact. For what occurred after the failure of the Conference of the Savoy? Charles II. immediately issued a Commission to Convocation to consider certain alterations in the Book of Common Prayer. That was in 1661. Convocation took a month to discuss the alterations, and then made their Report; and in March 1662, the Act of Uniformity was passed. What again took place in conformity with law and precedent with reference to the Clerical Subscription Act within the last two years? The Commission having made their Report, Her Majesty's Government (Earl Russell being at its head) granted a license to Convocation to discuss the question, and Convocation having come to a decision the Bill was submitted to Parliament and passed. The noble Earl (the Earl of Shaftesbury) spoke of the possibility of Convocation and Parliament disagreeing. All I can say is, that sufficient for the day is the evil thereof. I do not profess to say that there is no power in Parliament to settle these matters; but I adhere to everthing which I have stated in my letter, although I may not agree with every word contained in the Memorial, and I repeat my conviction that all the matters referred to the Commission will be submitted to Convocation before Parliament proceeds to legislative enactment.

THE BISHOP OF LONDON: I must remind your Lordships that a Petition has been presented, signed by 10,000 persons, praying that no change may be made in this matter without Convocation having been consulted. It is, therefore, very important that there should be no misunderstanding, because, by exciting false hopes, we may induce many of the clergy, who view this matter with great anxiety, to expect more than can perhaps be done, and they may therefore be dissatisfied when they compare the promise with the performance. From the satisfactory explanation made by the most rev. Primate, he appears to have intimated that the same course will be pursued as was pursued some years ago in case of the Clerical Subscription Bill. But I am afraid that the clergy, especially after the prominent manner in which the subject has been brought forward this evening, may form an exaggerated notion of what took place at that time. While Parliament was engaged in considering the Bill for an alteration in the subscription, the members of the Lower House of Convocation very properly assembled, and, though they had been very doubtful previously as to the advantages of a change in the subscription, agreed unanimously that the Bill before Paliament should receive their hearty approval. Convocation, therefore, in this case, expressed their approval in anticipation, and the measure received the subsequent sanction of the Crown. It is evident that great difficulties must constantly arise in consequence of the complicated machinery which regulates the relations between the Church and State, and while I heartily approve of Convocation being recognized and consulted on matters of this kind, I do not attach to its action, or to the words of the most rev. Primate respecting it, the importance which seemed to be attached to it by the petitioners. Therefore, the words that appear so objectionable to the noble Earl do not appear in the same light to me.

Convocation is rightly recognized in such matters, as the Dean and Chapter of a diocese are recognized when they receive a *Congé d'Elire* to elect a Bishop. It is said that Convocation has assumed a very different position of late years from that which it occcupied in former times. But one point which I would press upon your Lordships' attention is, that Convocation is frequently spoken of in the singular instead of in the plural number, which would be the more proper form; for though Convocations in Ireland have long slumbered, and the Convocation of York enjoyed the same slumber until it was aroused a few years since by the most rev. Primate; yet, having been thus resuscitated, it is evident that the York Convocation will no longer rest contented with a position of subordination to the Convocation of Canterbury now that the Northern districts have so greatly increased in importance. And this has brought about a great practical change in the position of Convocation, because now that there are two Convocations in this country, each of which has an equal right to be consulted, it might take a long time before any definite agreement was come to in respect of any change in the practice of the Church. As an instance of the inevitable dilatoriness of such a body, I may remind your Lordships that, five years ago a simple and peculiarly appropriate question —with regard to baptism—whether fathers might stand sponsors to their own children —was submitted to the consideration of Convocation. It was supposed that the opinion of the clergy was unanimous on the subject, and that a definite judgment would be arrived at; but five years have passed; the question has been bandied backwards and forwards, from Her Majesty's to Canterbury, from Canterbury to York, and back again from York to Canterbury, and at the present moment I believe that the prospect of a settlement is more remote than when we began. Under these circumstances, Convocation, as it at present exists, must not be offended because the Imperial Parliament is disposed to regard its machinery as too cumbrous to fit it for the real decision of these questions. It is perfectly true that in old times certain Acts received the approval of Convocation as well as that of Parliament; but out of a compilation by a learned civilian of 2,000 pages of Statutes relating to the Church only seven Statutes appear to have received the sanction of Convocation, the rest having been adopted by the sole authority of Parliament. Among these are two Acts of Uniformity. Therefore, it can scarcely be said that in every case the authority of Convocation is required to sanction alterations in the Church. Although I quite agree that all respect should be paid to an ancient body which does represent—in an imperfect manner, no doubt—the clergy of the Church of England, yet it is well that we should see what those who have high ideas of Church authority say as to the propriety of consulting Convocation. The Rev. W. Bennett, in a letter addressed to the Rev. E. B. Pusey, D.D., entitled "*A Plea for Toleration in the Church of England,*" says—

> "But, as it (that is, Convocation) is now, the fact of a prolocutor and a session of presbyters in one House, surrounded with technical etiquette in approaching the other, evidently cuts off the joint spirit of deliberation, and at once destroys the Convocation of the clergy as an assembly working for God's Church under the influence of the

Holy Ghost. On this ground, therefore, we could not trust it."

Again—

> "What chance is there of any really pure, spiritual unbiassed deliberation on the affairs of the Church in such an assembly as this? . . It is impossible to say otherwise than that the Convocation, however eminent and estimable many of its members may individually be, is no true representative either of the laity or of the clergy of the Church of England."

It is clear then that there is very little hope of conciliating the party represented by this gentleman.

I have nothing to add further than to advert to the reason given by some persons for thinking that Parliament is quite unfit to decide these subjects—namely, because no questions of this kind should be determined by an assembly consisting of persons belonging to religious denominations other than the Church of England. In reply to that proposition, I must say that it was not until the year 1672 that Roman Catholics and Nonconformists were excluded from Parliament, and that many important Acts affecting the Church were passed before that time, and were, therefore, enacted by the authority of a Parliament exactly resembling in this respect the Parliament of the present day.

Lord LYTTELTON said, he had supposed that the most rev. Primate had expressed the opinion conveyed in his letter on the authority of Her Majesty's Government. He now understood that it was merely the expression of the most rev. Primate's personal opinion; but he hoped that before the discussion came to an end the noble Earl at the head of the Government would set the matter satisfactorily at rest. No human being could doubt that Parliament possessed the power of making any alteration it chose in this or any other matter; though he quite agreed with the most rev. Primate, on the other hand, that as a matter of fairness and of constitutional usage, it was highly expedient that subjects of this sort should be referred to the opinion of Convocation.

The Archbishop of CANTERBURY: I desire to state that I wrote that letter without having any authority from Her Majesty's Government. I also wish to say that when I spoke of Convocation in the singular number, I used it in a general sense, and did not mean to exclude that of York.

Lord CRANWORTH said, he could not, as a legal Member of the House, permit the observations of his Friend the most rev. Primate to pass without notice. That most rev. Prelate said, that as the Book of Common Prayer had been settled first by Convocation and then by Parliament, it could be unmade only by the same authority that made it. The rule *quo ligamine ligatum est eodem dissolvi debet*, might be very well as a principle of law; but the most rev. Primate was mistaken in supposing that the authority of the Book of Common Prayer resulted in any degree from Convocation. It was very true that before the Act of Uniformity was passed, a Commission, or something in the nature of a Commission, was issued, which consulted learned persons, and afterwards Convocation; and it was probably the support the Bill received from that body that influenced Parliament to pass it; but it was not that body that gave it any efficacy. He wished to make that explanation lest it might go forth to the public that the assent of Convocation in any case was necessary. It might be expedient that Convocation should be consulted—upon that point he would express no opinion; but that any binding efficacy could be added by Convocation to any measure that received the assent of Queen, Lords, and Commons was wholly untenable.

Lord EBURY wished to ask a Question of the noble Earl below him (Earl Granville); it was, Whether, when the Bill with respect to Clerical Subscription was under consideration, the noble Earl had not stated that the Government had not thought it necessary to consult Convocation respecting it?

Earl GRANVILLE said, that there was some little difficulty in answering Questions without Notice, and that difficulty no doubt had been experienced by the noble Earl opposite (the Earl of Derby), who had not risen to answer the Question put to him by the noble Baron (Lord Lyttelton). He should be sorry to give a precise answer to the Question of his noble Friend, but he thought that his noble Friend's recollection was correct. At all events the late Government absolutely denied any right in Convocation to be consulted in the matter. He remembered the discussion that had taken place as to the course that should be taken, and also the Correspondence which had taken place between the Home Secretary and the most rev. Primate on the matter.

The Bishop of CARLISLE said, the answer of the most rev. Primate had carried dismay through the length and breadth of the land; and that dismay would be greatly increased if the noble Earl at the head of the Government should give the weight of his authority to the position which had been taken up in the letter of the most rev. Primate. That answer, he conceived to be, that nothing would be done in this vital matter of Ritualism until Convocation had been previously consulted. The words of the most rev. Primate's reply were—

> "I quite agree with the Memorialists in this matter; and I have the satisfaction to inform them that Convocation will be duly consulted upon the matters submitted to the Royal Commission alluded to before Parliament shall make any enactment touching them."

Now, if that were done, it would give Convocation, or rather, as had been said by the right rev. Prelate, Convocations, an opportunity of interposing very serious delay. All that the Ritualists asked for was delay. They said—"Give us two years and we will revolutionize the Church. We will put ourselves beyond the reach of all legal enactments whatsoever. Give us two years and we will put ourselves beyond all Episcopal control." Now, it appeared to him, and in that the right rev. Prelate (the Bishop of London) thought with him, that to take counsel with Convocation in the matter would be playing into the hands of the Ritualists. What had been the whole history of the movement? It had been nothing but one series of postponements and delays. Two years ago the matter was brought forward, and they were told that they should try the effect of paternal counsels upon the innovating party. Well, the right rev. Prelates who presided over the dioceses of London and Winchester had given counsel in the most fatherly spirit; and yet the number of the churches in which the objectionable practices prevailed had increased in spite of private admonition and public exhortation. They were then told that they should ascertain the law on the subject. Several Members of the Episcopal Bench, of whom he was one, agreed that a case should be drawn up with great care and laid before four of the most eminent counsel of the day, one of whom was the Attorney General of the late Government, and another a man who had lately taken a place in their Lordship's House to the great advantage of that assembly. Those eminent persons gave an unanimous opinion against the legality of vestments and of those practices which their Lordships all reprobated. Then it was proposed to try the question in a Court of Law; and it was said that the English Church Union were taking the opinions of nine very learned men, and it would be important to ascertain their opinions before proceeding further. It was evident that those gentlemen had the greatest difficulty in arriving at a conclusion favourable to the Ritualists; but at last, after several months had elapsed, a very impotent result was produced in opposition to the opinions of the four eminent men to whom he had alluded. Time passed away, and then it was suggested that a Royal Commission should be appointed. Then there was found considerable difficulty in getting a deputation to wait upon the heads of the Government, until his noble Friend opposite (the Earl of Shaftesbury) brought forward his Bill. Influence was brought to bear to have the Bill abandoned, and the noble Earl at the head of the Government was called upon to announce the appointment of a Royal Commission. The special constitution of that Commission was a subject upon which he (the Bishop of Carlisle) would not like to enter; but he was only speaking the truth when he said that it failed in recommending itself to the general confidence of the country. It had now, however, oozed out that the facts which had been brought before the Commissioners were of so startling a character that they felt that it was absolutely necessary that the matter should be dealt with.

The Earl of DERBY rose to Order. He was unwilling to interfere with the freedom of debate, but he thought that the right rev. Prelate was going beyond reasonable limits. The noble Earl opposite (the Earl of Shaftesbury) had given Notice of a Question which he wished to put to the most rev. Primate, and the most rev. Primate had given a plain and distinct Answer. The debate had no doubt taken a very wide range; but the right rev. Prelate was now not only departing from the subject matter of the Question, and going into the general topic of Ritualism, but he was giving information to the House which he said had "oozed out" from the proceedings of the Commission—information taken merely on the authority of newspaper paragraphs. Not only was the right rev. Prelate irregular in entering into that discussion, but still more so in dealing with the questions about which he could have no possible information, but the vaguest rumours — questions which ought not to be presented in that shape to their Lordships.

THE BISHOP OF CARLISLE said, that the question was of such vital importance that he trusted their Lordships' indulgence would be extended to him. All he wished to say was that he was in hopes that they would have prompt legislation upon the subject. They had been told that Convocation must be consulted before legislation could take place. But how stood the case? The Convocation of Canterbury was already showing an unmistakeable—

THE BISHOP OF OXFORD rose to Order. If their Lordships were to have this sort of irregular debate, arising without notice, where was it to end?

EARL GRANVILLE said, that for many years—ever since he had been a Member of their Lordships' House—it had been the practice of this House to allow a discussion arising out of Questions put and Answers given. Here Notice had actually been given of the Question. He submitted that it was entirely a question of discretion as to whether the subject-matter of the right rev. Prelate's remarks arose naturally out of the debate; and, at all events, it was quite clear that the right rev. Prelate might put himself in order by some formal Motion.

THE BISHOP OF CARLISLE said, he wished to warn the noble Earl behind him (the Earl of Derby) of the serious consequences which might follow his Answer. If he said that Convocation must be consulted before anything was done by Parliament, he would leave all over the country the impression that he was unconsciously playing into the hands of the party of innovation in the Established Church, whose only cry was "Give us time!" The Convocation of Canterbury had shown itself remarkably unwilling to deal openly and decidedly with the question of Ritualism. The Bishops some time back drew up a most important document on this subject; but when it was referred to the Lower House it was shorn of all those parts which contained the pith and marrow, and a mere vague and impotent Resolution was adopted. Was it to be expected that Convocation, which acted in this way, would yield its assent to any really efficacious legislation on this subject? There were other parties to be considered besides those who asserted their right to liberty of action within the Church. Large numbers of laymen were estranged from the Church by the proceedings of the ritualists; and it was impossible also not to help feeling deeply for the poor people who were being led away by those delusions. In conclusion he hoped that the noble Earl in the remarks he would presently make would give no sanction to this policy of delay, and that prompt and serious action would be taken in this most serious matter.

THE EARL OF DERBY: My Lords, I am not going to add to the irregularity of which I have complained. I understood the most rev. Primate to say, as the fact is, that he had no authority from the Government for the statement contained in his letter; and I only rise therefore to relieve the right rev. Prelate who has just spoken (the Bishop of Carlisle) from the dismay which he says will be felt in the country if I pledge myself to the opinion that Parliament has no right to deal with this question without the consent of Convocation. To relieve his mind I will say that I have not given any opinion on the subject, nor am I going to give one now. I think it is perfectly competent for Parliament to take any course which it may see fit to take. On the other hand, I think it desirable that Convocation should have an early opportunity of expressing its opinion upon any important change which is contemplated with regard to Church matters. But there is no doubt that the legislation of Parliament is not in the slightest degree dependent upon the deliberations of Convocation.

EARL STANHOPE said, in reference to the statement of the right rev. Prelate (the Bishop of Carlisle), respecting reports which had oozed out and appeared in the London papers, that it was remarkable that the right rev. Prelate should have overlooked a statement made by the most rev. Primate that those reports were entirely without authority, were incorrect, and in some instances opposed to the fact.

THE BISHOP OF OSSORY said, that if it was thought expedient that the opinions of the Convocations of the Provinces of Canterbury and York should be taken in these matters, it was equally important that the Convocations of the two Provinces of Ireland should be consulted. These Provinces were as much an integral part of the Church of England as the two English Provinces.

THE EARL OF SHAFTESBURY, in reply, said, he had heard with satisfaction the statement of the noble Earl (the Earl of Derby) that the most rev. Primate had no official authority for the statement contained in his letter. The most rev. Primate based his statement on law and precedent; but in some most important instances it had the sanction neither of law nor of precedent. The second Prayer Book of Edward VI. was established by Royal authority, without consulting Convocation; and the Prayer Book of Elizabeth passed in the first year of her reign, not only passed without the consent of Convocation, but against its wishes. All the spiritual Lords were against the Uniformity Act, all the lay Lords were for it, and yet the Prayer Book of Elizabeth was that of the kingdom of England from her time to that of the Protectorate. These were two vital precedents against the course indicated by the most rev. Primate. As he gathered that the Report of the Commission would be ready in a few days, it would be only courteous to the House and the Commission that he should postpone the second reading of the Clerical Vestments Bill which was set down for to-morrow, for one week; and he therefore gave notice that he would do so.

THE ARCHBISHOP OF CANTERBURY said, he had not stated that the Report of the Commission would be ready so soon as the noble Earl seemed to have understood.

LORD OVERSTONE said, the noble Earl must either persevere with the Bill or postpone it until after the Commission had reported. If the Commission had not reported, in what position would their Lordships be when the second reading of the Bill had been postponed for a week? He believed that there ought to be no postponement whatever, and the noble Earl ought to proceed with the Bill.

THE EARL OF SHAFTESBURY said, he had understood the most rev. Primate to say that at the end of this week, or at least towards the end of next, the Commission would have completed taking evidence, and would be prepared to deliberate upon it, and to prepare a Report. However, after the lapse of a fortnight if the Report was not presented, nothing would induce him to postpone any longer the second reading of the Bill.

After further explanation,

THE EARL OF SHAFTESBURY said, he would postpone the second reading of the Bill to the 23rd inst.

LIMERICK HARBOUR (COMPOSITION OF DEBT) BILL—(No. 138.)

(*The Earl of Devon.*)

COMMITTEE.

Order of the Day for House to be put into Committee read.

THE EARL OF DEVON, in moving that the House resolve itself into a Committee on the Bill, said its object was to authorize the Commissioners of the Treasury to compound a debt with its interest, owing by the Limerick Harbour Commissioners. The Bill had been read a second time by their Lordships without discussion, on the understanding that it should be discussed at this stage. The debt and interest due from the Harbour Commissioners to the Government amounted to £230,000. At various periods from 1817 to 1847 sums were advanced by the authority of the Treasury, under various Acts of Parliament, for the improvement of the harbour and the construction of a bridge; and the principal at last amounted to £179,000. The bridge was to have cost about £23,000, but £89,000 had been expended upon it, and that outlay drew largely upon the funds available for the improvement of the harbour. It had therefore been found necessary to keep up shipping rates and other port dues to an amount which had been found to interfere most seriously with the progress of the city of Limerick. While Waterford, Cork, Belfast, and other places had been rapidly increasing in the amount of their tonnage, Limerick alone was going back. At last a memorial was presented to the Treasury, and the result was that a Minute was prepared by the late Government for the extinction of the debt. The change of Government occurred before effect could be given to it, and this Bill would give effect to a corresponding Minute prepared by the present Government. In the other House the Bill had gone through the ordeal of a Select Committee. That Committee had agreed unanimously to adopt the Bill. It was proposed to compound the debt for the sum of £65,000, of which sum £55,000 is to be paid to the Commissioners of Public Works by an annual rent-charge, calculated at the rate of 4·0729 per cent, to be paid by half-yearly instalments for a period of fifty years, and the remaining sum of £10,000 is to be a first charge on the tolls of the bridge at 3½ per cent per annum. Power is given to the Commissioners to sell the bridge at any time for £10,000 to any

Grand Jury or other public body. The Bill further enabled the Public Works Loan Commissioners to advance a sum not exceeding £20,000 for the purpose of constructing a graving-dock and otherwise improving the port. A good deal of evidence was given before the Committee of the House of Commons respecting the causes of the decay of the port, and the best means of restoring its prosperity; the desirability of constructing a graving-dock being particularly dwelt upon. He hoped their Lordships would go into Committee on the Bill, not only because it would relieve the city of Limerick from the difficulties under which it at present laboured, but also on the more important and public ground that the probable effect of the measure would be to provide additional employment for the poor of Limerick and the neighbourhood.

The Earl of POWIS greatly objected to the Bill, and particularly to the 13th clause, which authorized additional advances to be made. Altogether the large sum of £179,000 had been advanced already, and the rates had been raised four times in succession by the Harbour Commissioners in order to provide security for the different advances. He wished to point out, that according to the Return which had been laid before their Lordships, the revenues of the port would not suffice to pay the interest on both the new and old grants. In his opinion, if this debt were to be compounded by the Treasury, it ought to be compounded absolutely. The reason assigned for making a further advance was that it would enable the port to compete with rival ports on more favourable terms; such rival ports being afterwards stated to be Dublin and Cork. But if they were to allow such a reason to have weight, they might be asked at no distant time, to enable other ports on the Shannon, such as Foynes and Tarbert, to compete with Limerick. The whole gist of the Bill and memorial was that the tolls were too high; but by a Bill now passing through Parliament 250 articles would be free from paying toll, and the deficit which had been mentioned would be thereby increased. He asked them whether advancing the money asked for would not be throwing good money after bad, and whether it was reasonable, after expending £179,000, which had been augmented by arrears of interest to £220,000, to ask Parliament to spend £24,000 more upon insufficient security.

The Earl of KIMBERLEY stated that the acts of the Government in respect of the matter touched on by the noble Earl who had just spoken were originated by himself. No one could complain of the tone in which the noble Earl (the Earl of Powis) had approached the Bill, because it was one demanding most careful consideration. The memorial stood on better ground than was usual in such cases; a large sum of money had been expended upon a bridge which had proved to be of very little use to the harbour, although the harbour dues had been charged with the principal and interest of the cost. The making of that bridge was no doubt the result of a mistake on the part of the Treasury, and the people of Limerick now came to the Treasury for relief; and not unreasonably so, for the raising of the harbour dues to pay the interest had tended to diminish the trade of the port. He therefore supported that portion of the Bill which dealt with this matter, on the ground that it was the rectification of a mistaken policy. Upon the other point touched on by the noble Earl he was not so well able to speak, because the advance of money was not proposed by the late Government. If, however, the present Government felt convinced that the construction of a graving-dock would greatly improve the port of Limerick, the proposition should be considered on its merits without respect to the solvency of the port. On the whole he thought their Lordships would do well to let the Bill pass.

Lord CAIRNS said that both on local and national grounds it was advisable that the Bill should pass. He would remind their Lordships that the Bill had undergone the scrutiny of a Select Committee of the House of Commons. With reference to the objection of the noble Earl (the Earl of Powis) to the 13th clause, no one acquainted with the Port of Limerick would deny that a graving-dock was absolutely necessary for placing the port upon a proper footing. If such a dock could be constructed without the loan asked for, it would be most improper to grant it, but it would be vain to hope that £20,000 could be obtained on the public market for that object; and it would be most improper to grant the loan if the only end in view was the local one of enabling Limerick to compete with Cork. There was however the great public object to be gained of providing a refuge for ships in distress. The security provided was as good as any offered for capital to construct

Public Works, and as the noble Earl who had last spoken had said, it would be very wrong to deny Limerick this assistance, and thus make it atone for the error of a Government which authorized the advance of £80,000 to build a useless bridge.

The Earl of LIMERICK said, that the bridge was not only of no advantage to the shipping of the port, but a positive disadvantage, inasmuch as the small trading craft had to lose a considerable amount of time on each occasion that they passed the swing bridge. A graving dock was much wanted and would be of great benefit to the port, and he hoped their Lordships would agree to the Bill as it stood.

Earl GRANVILLE also expressed his concurrence in the provisions of the measure.

Bill *considered* in Committee; Bill *reported* without amendment, and to be read 3ª *To-morrow.*

House adjourned at a quarter past
Eight o'Clock till To-morrow,
half-past Ten o'Clock.

* * *

HOUSE OF COMMONS,

Monday, July 8, 1867.

MINUTES.]—Select Committee—*Report*—On Special and Common Juries Committee (425).

Public Bills — *Resolution in Committee*—Customs and Inland Revenue Acts.

Ordered — Galashiels Jurisdiction *; Turnpike Acts Continuance *; Turnpike Trusts Arrangements.*

First Reading—Turnpike Acts Continuance * [232]; Turnpike Trusts Arrangements * [233]; Galashiels Jurisdiction * [234]; Court of Chancery (Officers) * [235].

Second Reading — Trades Union Commission Act (1867) Extension * [227]; Barrack Lane, Windsor (Right of Way) * [229].

Special Report of Select Committee—On Game Preservation (Scotland) and Game Laws (Scotland). (No. 426).

Committee—Representation of the People [79] [r.p.]; Courts of Law Officers (Ireland) (*re-comm.*) [248] [r.p.]; Naval Stores* [215]; Chatham and Sheerness Magistrate * [211].

Report—Game Laws (Scotland)* [231]; Game Preservation (Scotland)* [65]; Naval Stores * [215]; Chatham and Sheerness Magistrate * [211].

Considered as amended—Local Government Supplemental (No. 5)* [206].

Third Reading—Lunacy (Scotland)* [219], and *passed.*

BROADMOOR CRIMINAL LUNATIC ASYLUM.—QUESTION.

Mr. FLOYER said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government, as stated in the last Report of the Commissioners in Lunacy, that no persons becoming insane while under sentence of imprisonment, except for terms of penal servitude, shall be admitted into the Criminal Lunatic Asylum at Broadmoor; but that such prisoners are to be confined in the county asylums, however dangerous their state or exceptional the circumstances relating to the commission of their crime may be?

Mr. GATHORNE HARDY said, that the classes of lunatics sent to Broadmoor were those acquitted of offences on the ground of insanity, those found insane on arraignment, and those who became insane during penal servitude. Those classes fully occupied Broadmoor, so that it was necessary that those who were sentenced to imprisonment should be confined elsewhere. When their terms of imprisonment expired they naturally fell into the class of pauper lunatics, and were sent to the County Asylums, as pauper lunatics would be.

FOREIGN POSTAL CONVENTIONS.

QUESTION.

Mr. HADFIELD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Government have considered the policy of extending the system of cheap postage to all Foreign and friendly Governments willing to reciprocate in this convenience, and to bear their proportion of the cost of the same; and, whether any measures are being taken for such an arrangement?

The CHANCELLOR of the EXCHEQUER: The important subject upon which the hon. Gentleman has asked a Question has much engaged the attention of the Government and of their predecessors. Within these few weeks we have signed a postal convention with the United States, under which after the 1st of January the postage between the two countries will be reduced from 1*s.* to 6*d.* for each half-ounce letter. I may also say that of the numerous proposals made for the reduction of foreign postage the vast majority have emanated from this country, and there has been no proposal made upon a tolerably fair basis that has ever been refused by us. Negotiations with Peru, Chili, and other Western States of America are at this moment going on with the object of reducing the postage, but I cannot say that anything very definite has been concluded in these cases. Within the last two or three years the postage between this country and Sweden has been reduced from 11*d.* to 6*d.*, with Denmark from 8*d.* to 4*d.*, and with Holland from 8*d.* to 3*d.* That will show that the subject has very much engaged the attention of Government, and there are at this moment before us, and under the consideration of other Governments, proposals which may lead to still more extensive results.

SCHOOL BUILDING GRANTS.

QUESTION.

SIR LAWRENCE PALK said, he would beg to ask the Vice-President of the Committee of Council on Education, What is the amount of the money grants given in aid of the building of Schools in England and Wales in the years 1863, 1864, 1865, and 1866; if Messrs. Clutton, surveyors, received a percentage on the amount granted; and, whether the payments made to them were in full, and if not, what is now the balance due to them?

LORD ROBERT MONTAGU said, that the building grants in England and Wales made by the Education Department were —in 1863, £38,900; in 1864, £27,329; in 1865, £17,759; and in 1866, £23,250. The Messrs. Clutton were not officially known to the Department, as they never had any account with them, nor had they ever transacted any business for the Department. They were well-known surveyors, and had, he believed, been employed by other Departments.

STORM WARNINGS.—QUESTION.

COLONEL SYKES said, he would beg to ask the Vice President of the Board of Trade, What interpretation is to be put upon the Letter dated 8th June, and addressed to him, and signed Robert H. Scott, Director of the Scientific Committee of the Royal Society, the first paragraph of which absolutely refuses to renew "storm warnings," while the fifth paragraph offers to send a "storm warning" provided the local authorities who ask for a warning will pay half the expense of the telegraph?

The Chancellor of the Exchequer

MR. STEPHEN CAVE: The hon. and gallant Officer does not quote the Letter quite accurately. There is no inconsistency in the two paragraphs. In the first the Committee decline to transmit "what have been called storm warnings." In the fifth they offer to communicate "information." They decline to prognosticate what will be the weather to-morrow or next day, but are willing to send telegraphic information of what the weather actually is in any particular place. For instance, they will telegraph to Aberdeen that a gale is blowing from the S. W. at Penzance, but they will not say that it may be expected to blow the day after to-morrow at Aberdeen. The gallant Officer must remember that when these predictions were made there was frequent complaint of their inaccuracy. In the last debate about them in this House, in July, 1864, they were stated by one hon. Member to be "twice wrong for once right;" and another hon. Member said that, "they might be read a hundred different ways," and that the only thing which prevented their misleading the public was that the public paid no attention to them.

CASE OF THE "ARKADI."

QUESTION.

MR. LAYARD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it be true that a Greek blockade runner called the *Arkadi*, fired into a Turkish cruizer, killing and wounding several of her crew, and seriously damaging the vessel; whether, if such be the case, the right of blockade runners to be armed as vessels of war and to commit acts of war is recognized by International Law; and, if not, whether the act committed by the *Arkadi* was not an act of piracy; and, whether the Powers under whose protection Greece has been placed by Treaty are prepared to support the Turkish Government in demanding reparation from Greece, from whose ports the *Arkadi* sailed, and into which she returned after committing this act of piracy?

LORD STANLEY: I believe the statement which the hon. Gentleman has embodied in his Question to be substantially accurate, but all the Papers relating to the transaction have been referred to the Law Officers of the Crown, and since the hon. Member's Notice has been given I have not been able to examine them. I cannot therefore speak with certainty as to the facts. Until I receive from the Law Officers a Report on the subject I should not like to commit myself to an opinion as to the extent to which (if at all) International Law has been violated. As to the last part of the Question I cannot undertake to say what will be done by the other protecting Powers of Greece; but, looking to all the circumstances, I think it very doubtful whether an unanimous expression of opinion could be obtained from them on the subject.

IRELAND—CARLOW LUNATIC ASYLUM.

QUESTION.

MR. COGAN said, he would beg to ask the Chief Secretary for Ireland, Whether it is the fact that his Excellency the Lord Lieutenant of Ireland has lately nominated a person to fill the office of clerk and storekeeper in the district Lunatic Asylum at Carlow, notwithstanding that another person had been appointed to the office by the resident Medical Superintendent, with the sanction of the Local Board of Governors, and such appointment had been duly notified to the Inspectors of Lunatic Asylums in Ireland; and, if so, on what grounds the practice which has hitherto prevailed of such an appointment being left in the hands of the Local Board has been departed from in this case; and, whether any decision has been come to on the remonstrance of the Board of Governors against this, as they allege, irregular appointment?

LORD NAAS said, it was not true that a person had been appointed in the manner described by the hon. Member. The medical superintendent had, when announcing the death of the late chief clerk and storekeeper, merely said he had appointed his son *pro tempore.* In the meanwhile the hon. Member for Carlow recommended another person, who was appointed after inquiry had been made as to his competency. Several appointments of this kind had been made by the present and previous Governments, and no objections had been raised. He thought it, however, desirable to clear up the matter, and he proposed that night to introduce a Bill which would give the Boards of Governors of lunatic asylums the absolute appointment of all officers with the exception of the medical superintendent and those under him. In order to prevent injustice the existing appointments would be allowed to stand.

MR. COGAN asked, Whether the noble Lord had any objection to lay the Correspondence relating to the matter before the House?

LORD NAAS said, he was not aware that there was any correspondence, but he would answer the Question to-morrow.

NAVY—DOCKYARD ACCOUNTS.

QUESTION.

MR. SEELY said, he would beg to ask the First Lord of the Admiralty, When the Navy Dockyard and Stock Valuation and Expenditure on Ships' Accounts for the year ending the 31st March 1866, will be laid upon the table of the House, in continuation of those for the year ending 31st March 1865, which were laid upon the table of the House on the 16th February 1866; and, when the Navy Dockyard and Steam Factories Accounts for the year ending 31st March 1866, will be laid upon the table of the House, in continuation of those for the year ending the 31st March 1865, which were laid upon the table of the House on the 16th February 1866?

MR. CORRY said, that the Returns were being prepared in a more complete form than last year, partly in consequence of objections made to the old form by the hon. Gentleman himself. This had occasioned considerable delay, but a portion of the Returns referred to in the Question were presented the other day, and he hoped to be able to lay the remainder on the table before long.

POST OFFICE ARRANGEMENTS.

QUESTION.

MR. WARNER said, he would beg to ask the Secretary to the Treasury, Whether he is aware of the exceptional inconvenience caused by the Post Office arrangements in the populous districts near the boundary of the twelve-mile circle of the metropolis, which are the only places in England in which letters must be posted early on Saturday evening in order to leave London by the morning mails of Monday—whether it would not be practicable to establish at these offices an early collection for the morning mails, at least on Mondays; and, for what reason the usual information regarding the north-eastern district of the metropolis has been excluded from recent editions of the British *Postal Guide?*

MR. HUNT said, he understood the hon. Member to mean by "places near the boundary" places immediately within the boundary, and there the inconvenience to which he referred resulted from geographical position, for there was no Sunday postal service in the metropolitan districts. If the accommodation asked for were provided the Post Office would either have to be opened on Sunday, or the officials would have to be at work at about two or three o'clock on Monday morning. Exceptions to the rule were made in certain cases where there was a strong wish on the part of the inhabitants; and if the hon. Member would confer with him he would see if anything could be done in the matter. With regard to the second part of the Question, there had been an amalgamation of certain districts, and he believed the whole of the information was given in the *Postal Guide.*

ARMY—MARCH OF TROOPS TO HOUNSLOW.—QUESTION.

MR. CARINGTON said, he would beg to ask the Secretary of State for War, Whether it is true that the Cavalry Regiments who marched from Aldershot to Hounslow to take part in the intended Review were left in camp entirely without rations until the following morning?

VISCOUNT CURZON said, he wished to ask, Whether it is true that troops who started from Aldershot early in the morning, and arrived at Hounslow at between one and two, did not receive their rations till about four or five in the afternoon?

SIR JOHN PAKINGTON said, he was happy to say the case was not quite so bad as might be inferred from the hon. Gentleman's (Mr. Carington's) Question. The troops who arrived on that day were not left in camp without rations till the following morning; but he was afraid—and that answer would apply to the inquiry of the noble Lord—that troops who arrived at Hounslow from Aldershot between eight and nine in the morning did not receive any rations till four o'clock in the afternoon. There appeared to have been great want of care in some quarter. They were now endeavouring, but as yet had been unable, to ascertain the whole of the facts. If the hon. Member liked to repeat his Question on a future day there should be no concealment in the matter.

INDIA—INDIAN RAILWAYS.—QUESTION.

MR. FINLAY said, he would beg to ask the Secretary of State for India the amount of Guaranteed Capital, in addition to the sum already announced, which it is proposed to raise for Railway Works in India during the present year?

SIR STAFFORD NORTHCOTE said, there would be no capital required, except what had already been mentioned in the Report on these railways, which had been presented to the House. He believed that the total amount which would be required to be raised in the year 1867-8 to meet current expenditure, pay off debt due to the Government, and leave a small balance in hand, would be between £8,000,000 and £9,000,000.

FEVER IN THE MAURITIUS.
QUESTION.

MR. PIM said, he would beg to ask the Secretary of State for the Colonies, If he is aware of the extraordinary mortality caused by fever in the Island of Mauritius during the present year; can he say whether it is true that the deaths have exceeded 30,000, out of a population of about 340,000 persons; and that the deaths in the city of Port Louis in the month of April last exceeded 6,000 out of a population estimated at 80,000; has he any information whether the virulence of the fever has abated or not; and, does he not think that something is due by way of assistance to the large number of persons who have been left destitute by this extraordinary and almost unprecedented calamity?

MR. ADDERLEY said, the mortality from fever in this colony had unhappily been very great, though not quite so great —as far as the information at the Colonial Office went—as the hon. Gentleman supposed. The hon. Gentleman supposed that upwards of 30,000 persons had died from fever; but that was the total amount of the mortality of the island during the present year. At the same time, according to the information at the Colonial Office, up to the 2nd of May, there were 17,000 deaths from fever, 10,000 of them occurring at Port Louis alone; and he was afraid that the latest intelligence from the island showed no abatement of the scourge. At the commencement of the cool season it was hoped that a change for the better would take place. Already a private subscription had been started in the City for the relief of the distress occasioned by the fever, and the Colonial Office had sent medicines for the use of the sick. The Government had no information as to the extent of the distress, so as to be able to judge whether a contribution from the public funds—for which there was no precedent, except in certain cases of hurricanes in the West Indies—was necessary.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JULY 5.]

Bill *considered* in Committee.

(In the Committee.)

MR. CRAWFORD said, he rose to move a new clause which had for its object the extension of the limits within which an elector for the City of London might reside, while retaining his right to vote. Prior to the Reform Act every voter for a borough was entitled to vote for that borough without reference to his place of residence. When, however, that Act was passing through Parliament a clause was introduced limiting the privilege of voting to those who lived in, or within seven miles of, the borough. The object of that clause was twofold—to prevent what might have been the undue extension of the privilege in the case of freemen, and to compel persons claiming to vote to live sufficiently near to take part in the performance of the various duties attaching to citizenship, such as serving on juries and filling certain parochial offices. Since 1832 a very large proportion of those who were engaged in the City in the daytime were enabled to avail themselves of the facilities afforded by the railway system to reside at a distance of fifteen, twenty, and twenty-five miles from their places of business. They were, indeed, driven to do so. He might also observe—and he was sure he would be borne out in the statement by the authority of his hon. Friend the Member for Bath (Mr. Tite), than whom no one was more competent to form an opinion on the subject—that the value of property in the City had, since the time of the passing of the Reform Act, increased at least four or five-fold. He knew of one instance in which a place of business in the vicinity of the Royal Exchange, which originally let for a sum of £80 a year, had risen to the improved rent of £500, and as leases fell in, much larger rents had to be paid for renewals. It had been stated by the hon. Member for Liverpool a few nights ago that the population of the City hardly exceeded 100,000. That, however, was simply the result of the Census as taken at midnight, when seven-eighths of its ordinary inhabitants during the day were absent. He might call the attention of the Committee to a very instructive work which had recently been circulated by the Chamberlain of the City, entitled *A Statistical Vindication of the City of London,* from which he found that there were 3,297 different firms carrying on the business of brokers there, for which they had to take out a licence, it being calculated that there were two or three persons in each, thus making the total number of about 8,000 carrying on that particular business. Out of that number it appeared that no more than thirty-three resided within the limits of the City. It was not right that so large a proportion of men, who must be regarded as constituting a specially good class of voters, should be excluded from the franchise because they were compelled to reside beyond seven miles from the City, to which they came day after day to prosecute their business, doing little more than sleeping and eating their breakfasts at their homes. The constituency of the City of London amounted in 1832 to 18,584. In 1852 the number was as high as 20,728, but since that time, as railways increased, and property was set apart for the construction of railway stations, and rents had risen, the number had decreased. The actual number of the persons now on the register, deducting doubles, was 15,500, so that the constituency which had greatly increased in wealth and prosperity, was gradually diminishing in numbers. It was true that those voters who resided at a distance had a vote for the county; but on mercantile matters they consulted the City Members. They were what might be called a "good" sort of voters, because they could afford to live at a distance from their business. It was advisable to take means for keeping up the numbers of a constituency which was now decreasing, but which paid for income tax more than all the rest of the metropolis. The radius which he now proposed to adopt would include Gravesend, Sevenoaks, Reigate, Egham, Windsor, Welwyn, and Ingatestone. He had been asked why Brighton was not included; but he did not think that the number of City electors residing there was sufficiently large to justify a proposal for their being included. The limit of twenty-five miles, to which he now proposed to extend the radius within which qualified persons residing might vote for the City of London, would comprise all the principal places to which people in the City went after the conclusion of their business, with the exception of Guildford and Chelmsford, which were beyond the distance of twenty-five miles. He confined his proposal to the City of London, because he was not so well acquainted with the circumstances of other places; but it would be in the power of the Committee, if they thought fit, to strike out the words restricting the operation of the clause to the City of London, and to extend it to such towns as Liverpool, Manchester, and Glasgow. He moved the following clause:—

"That so much of the twenty-seventh and thirty-second sections of the Act of the second William the Fourth, chapter forty-five, and of the seventy-ninth section of the Act of the sixth and seventh of Victoria, chapter eighteen, as relates to the residence of electors within seven miles of any City or Borough shall be repealed, in respect to electors otherwise qualified to be registered and to vote for Members to serve in Parliament for the City of London: Provided always, That no person shall be registered as an elector for the said City unless he shall have resided for six calendar months next previous to the last day of July in any year, nor to be entitled to vote at any Election for the said City, unless he shall have ever since the last day of July in the year in which his name was inserted in the register then in force have resided, and at the time of voting shall have continued to reside within the said City, or within twenty-five miles thereof, or any part thereof."—(*Mr. Crawford.*)

Clause brought up, and read the first time.

On Question, "That the Clause be read the second time,"

Mr. NEWDEGATE said, that the circumstances of the City of London differed from those of other towns, for in no city was so large an area occupied by warehouses and places required for the conduct of business as in the City of London. He supported the clause, for it would be an anomaly if the merchant princes of London should be debarred, in consequence of the enormous increase of their transactions depriving them of residences in the City—those residences and the ground on which they stood being now required for offices and warehouses—from voting for the representatives of the world's centre of commerce.

Mr. CRAWFORD said, that he wished to make an addition to what he had already stated. With respect to the number of annual tickets taken by persons who resided more than seven miles from the City, he was informed that the number was about 13,500. That statement was founded upon a return from the principal railway companies, though there was one company from which he had not received a return. He did not say that the whole of this number was to be counted; but, probably, from 7,000 to 8,000 of these tickets were taken by persons who came up day by day to the City for the transaction of business.

Mr. JAMES said, he had given notice of an Amendment to the Motion of his hon. Friend, and though that was not the time to go into a detailed explanation of his proposal, he wished to advert to the effect of repealing that clause of the Reform Act of 1832 which related to the rights of the occupiers of premises for which they paid rates, and to the continuance of the seven miles radius. In 1832 the matter of distance stood upon a very different footing from that which it now occupied. No doubt in 1832 the reasonable distance within which it was supposed that gentlemen carrying on business in the great mercantile towns would reside would be about seven miles, or an easy drive. Circumstances had since considerably changed, not only as regarded London, but Liverpool, Manchester, Leeds, Birmingham, Glasgow, and other great commercial and manufacturing towns. Persons were now enabled to reside at a considerable distance from their places of business, and though it might, therefore, be desirable to extend the area of residence, the difficulty was to fix any precise limit. Why should they take twenty-five rather than thirty miles, or even a greater distance? [Mr. Crawford: Twenty-five miles is an hour's ride.] Fifty miles might also be an hour's journey by railway. The Amendment of which he had given notice was limited to the 27th section of the Reform Act, the principle of which was to give to every person a vote who occupied premises of whatever character provided they were of the value of £10, and paid all rates in respect of those premises. It was suggested that it was not reasonable that they should require residence in respect of those occupiers who paid rates, and consequently the Reform Act fixed the limit of seven miles. For the very reason therefore that seven miles was taken then, there should be no limit in the present day, for if they fixed thirty or even fifty miles they might not take in all whom they wanted to include. He trusted the Committee would read the clause a second time in order that he might have the opportunity of moving his Amendment, the object of which was to extend its principle to all great towns returning Members, or any that might be thought proper. Thus justice would be done to the best class of voters.

THE CHANCELLOR OF THE EXCHEQUER said, that if the second reading of the clause was not opposed, it would at once be better to affirm, the principle of the clause, and proceed with the Amendments to it. It was his intention to support the clause.

MR. BOUVERIE said, he was rather surprised at the decision of the right hon. Gentleman, for the proposal really was to repeal one of the most important provisions of the Reform Act. One of the greatest evils that that Act was intended to cure was that of having a large number of non-resident borough voters, and the present clause, carried to its logical conclusion, would re-introduce that evil. The gentlemen on whose behalf it was proposed had no great grievance to complain of, because the occupation county franchise would give them all county votes. They took no active part in the management of the affairs of the City, they formed no part of the municipal government, and they were not citizens in the old-fashioned sense of the term. If for their convenience they came to London for a few hours a day that gave them no title to vote for the City. It was distinctly enacted by the Bill that occupiers of shops and places of business below £10 were not to have votes, so that this clause would introduce an invidious distinction in favour of gentlemen who occupied houses of business within the City above £10.

MR. GOSCHEN said, that these Gentleman rested their case principally upon the fact that they were liable to serve on juries, and as sheriffs, and were bound to perform all the duties of citizens. It was not correct to say that they merely spent a few hours in town, for they really belonged to the City, and merely slept a few hours in the country. All their interests and thoughts were identified with the City, and in his opinion the limit of twenty-five miles ought to be adhered to, in order to insure that connection. They were not non-resident in any sense, because they occupied premises in the City to which they went every day. Though he would have no objection to extend the principle to voters below £10, he might mention that there were only 130 houses in the City which would in that way be included.

MR. BARNETT said, he hoped the clause would be adopted. The present radius excluded men who were in every way well qualified to exercise the franchise. The habits of life and the mode of doing business had entirely changed since the time of the Reform Act; and it was not fair to draw conclusions from what existed at that time.

MR. M. T. BASS said, he could not see a single reason in favour of this clause which did not apply *a multo fortiori* to every borough in the kingdom.

MR. THOMSON HANKEY said, he was not at all surprised that the Chancellor of the Exchequer was in favour of this clause, for it was entirely in accordance with the principle of the Bill. The merchants and traders of the City were a class of voters that it was desirable to enfranchise as widely as possible. At one time, two of his partners were disqualified from exercising the franchise owing to the fact of their residence being beyond the seven miles radius, while he was invested with a vote because he resided within the circle. Under the present system, some of the best members of the constituency were disqualified from voting. If similar inconvenience was felt in other great towns it ought to be remedied.

MR. HEADLAM said, he would support the clause, if only for the reason that these gentlemen were liable to serve on Middlesex juries.

MR. AYRTON said, the same reason would apply to every other borough in the kingdom. The City of London was the only place in England where the occupants were not called upon to undertake municipal functions. The merchants and bankers of the City of London had obtained for themselves a law by which they were exempt, unless they themselves chose, from being compelled to accept any kind of municipal or civic office in the City. Therefore they had less connection with the district than any other occupant would have in any other town in respect to which they might be placed on the register. If they adopted this principle as regarded London, they ought to extend it to every other town in the kingdom.

Mr. Alderman LAWRENCE said, that whereas hitherto municipal offices had been confined to freemen, an Act had been passed this Session making eligible all persons on the Parliamentary register. He supported the clause on the ground that the citizens of London were exceptionally situated, not being able to get out into the country without exceeding the limit of seven miles. This was not the case with the boroughs which surrounded the City.

Mr. KENNARD said, that, living beyond the seven miles limit, he was always, until he became a Member of the House, deprived of his City vote, although he paid the poor rates, served the office of sheriff, and fulfilled all the duties of a citizen.

Motion *agreed to.*

Clause read the second time.

Mr. JAMES, who had given notice of the following Amendments :—Line 1, leave out "that." Same line, leave out "and thirty-second sections," and after "twenty-seventh" insert "section." Line 2, leave out from "forty-five" to end of clause, and insert—

> "As requires that no person shall be registered as an elector in any year in respect of his occupation of premises within any city or borough, or place sharing in the election for a city or borough, unless he shall have resided for six calendar months next previous to the last day of July in such year in the city or borough, or place sharing in the election for a city or borough, in respect of which he shall be entitled to a vote, or within seven miles thereof, or of any part thereof, is hereby repealed."

He said that the adoption of that proposal would have an excellent effect, for it would place on the registers of towns and boroughs men having a *bonâ fide* interest in the borough and residing therein. If his first Amendment were adopted, he would move subsequent words, which would prevent any person voting who had not for twelve months previous to his application for the franchise carried on a *bonâ fide* business in the borough. It was not desirable to admit freemen living at a distance, who might have no interest in the place.

The CHANCELLOR of the EXCHEQUER said, he agreed to the Amendment limiting the clause to occupiers, and not including freemen. He could not, however accede to another Amendment of which the hon. and learned Gentleman had given notice, extending the clause to all boroughs, for he thought the case of London was quite exceptional, and that the principle should not be carried further.

Mr. CRAWFORD said, he hoped the liverymen would be admitted to the benefit of the clause, they being selected from the freemen, and being one of the most ancient classes of the constituency. Out of 17,300 persons on the register 5,500 were freemen. He would remind hon. Gentlemen opposite that they were a Conservative body, no Liberal candidate within his recollection having obtained the votes of half their number. He could not see why they should be put on a different footing from the householders and occupiers.

Amendment *agreed to.*

Mr. JAMES moved the second part of his Amendment with the view of applying the clause to all the boroughs in the kingdom.

Mr. PIM said, he supported the Amendment of the hon. and learned Member for Manchester (Mr. James). If a man, carrying on business in London, lived at Windsor, he would, according to the hon. Gentleman's proposal, have a vote for London. Why should not a man who slept in London and carried on his business at Windsor have a vote for the latter place? He objected to the limitation of twenty-five miles. If three partners lived at St. John's Wood, Windsor, and Brighton, the third would be excluded from the franchise.

Mr. JAMES said, that should his clause be carried, he would propose such additional words as would prevent any one taking a vote under it unless he was *bona fide* carrying on business in the city or borough he sought to obtain a vote in. He moved his third Amendment.

Amendment *negatived.*

On Motion of Mr. Chancellor of the Exchequer, the words "sixth and seventh of Victoria" were amended in order to substitute "reign of Her present Majesty."

On Question, "That the Clause, as amended, be added to the Bill,"

Mr. HENLEY said, he wished that some Member of the Government would state the principle on which the words "twenty-five miles" were inserted in the clause. No doubt the local situation of the City of London was exceptional, inasmuch as it was surrounded by other boroughs. It would be reasonable to make the seven miles begin from the outside of those boroughs. The old radius of seven miles had, however, been extended to twenty-five miles for electors of the City, and he had heard nothing to justify that distance. It seemed a mere arbitrary line.

MR. CRAWFORD said, that seven miles allowed in the Bill of 1832 for the distance from the voter's residence to the City, used to represent an hour's journey. That time in railway travelling now represented twenty-five miles. It was found, moreover, that a radius of twenty-five miles included almost all the places frequented by persons having business in the City of London, except Brighton. It included, for example, Gravesend, Sevenoaks, Redhill, Reigate, Dorking, places on the South Western line and in Essex. If a less distance were taken, many of these persons would be excluded.

MR. HENLEY said, that the general reason given by the hon. Member was applicable to other boroughs, because an hour would take a man just as far from Manchester or Liverpool. If the rule were to be a mere matter of convenience, it would be an arbitrary one; but if it rested on the fact that the City was surrounded by boroughs, the proper course would be to draw the line at seven miles beyond the limits of any of these boroughs.

THE CHANCELLOR OF THE EXCHEQUER: I think it is understood by the Committee that, looking to the peculiar position of the London electors, they should have the privilege of being allowed to reside without the place from which they derive their vote; but we must draw a line somewhere, in order to secure the enjoyment of scenery and fine air. I do not know the real origin of the twenty-five miles limit. Perhaps, as the hon. Member for the City told us, it is to describe an hour's travel which, it may be thought, ought to be encouraged; but there is a certain excitement about gentlemen of a speculative character going every day at the rate of fifty miles an hour, which might lead in some instances to congestion of the brain. Then, as a period or space is necessary, the twenty-five miles is supposed, perhaps, to secure the fair enjoyment of the privilege the Committee will give in consideration of the peculiar position. I do not know upon what absolute rule twenty-five miles is better than thirty; but that is the general ground, and it has been proposed in this instance.

MR. JACKSON said, that the radius of the coal tax—namely, twenty miles, might be adopted.

MR. HENRY BAILLIE said, that by the adoption of the proposed radius the same persons would have the county franchise as well as the franchise for the City.

Motion *agreed to.*

Clause, as amended, *agreed to.*

SIR HARRY VERNEY moved the following clause:—

"So much of the eighteenth section of the Act of the tenth George the Fourth, chapter forty-four, as provides that no justice, receiver, or person belonging to the metropolitan police force shall be capable of giving his vote for the election of a Member to serve in Parliament for the counties of Surrey, Hertford, Essex, or Kent, or for any city or borough within the metropolitan police district; and so much of the ninth section of the Act of the second and third Victoria, chapter ninety-three, as provides that no chief constable or other constable appointed by virtue of that Act shall be capable of giving his vote for the election of a Member to serve in Parliament for the county in which he shall be appointed, shall be and the same are hereby repealed: Provided, That no police officer or constable shall be allowed to vote in uniform."

THE CHANCELLOR OF THE EXCHEQUER said, he opposed the clause, which he thought would interfere with the efficiency of the police. He regarded the clause as otherwise objectionable, and hoped it would not be pressed.

SIR HARRY VERNEY said, he would appeal to the Chancellor of the Exchequer at least to allow the claim of a class of men who were selected for their high character and general trustworthiness for employment in the Police, Inland Revenue, and Customs Departments to be investigated before some fairly constituted Committee.

ADMIRAL DUNCOMBE said, the adoption of the clause might interfere with the discharge of their duty by the police. At an election a tumult might arise and the police would be wanted to restore order.

MR. CLAY said, he wished to know whether the Chancellor of the Exchequer would remove the disability which affected the metropolitan police magistrates in regard to elections?

THE CHANCELLOR OF THE EXCHEQUER said, that the subject referred to was not before the Committee.

Clause *negatived.*

Mr. VANCE moved the following clause:—

> "Any person who by law is now, or shall be under the provisions of this Act, entitled to vote for any city, borough, or place, provided he resides within such city, borough, or place, or within seven miles from some particular part thereof, shall be entitled to vote provided he resides within seven miles from any part thereof."

He said that, in many instances, "the particular part" of the borough happened to be one corner of it, and that it would be more just if the measurement were reckoned from its extremities. Those voters who lived within seven miles of the confines of any borough ought, in his opinion, to be entitled to record their votes.

Sir ROUNDELL PALMER said, that a similar proposal brought forward by himself at an earlier stage of the Bill had been rejected. The Committee in agreeing to the present clause would be reversing their former decision.

The CHANCELLOR of the EXCHEQUER said, that the proposal of the hon. and learned Gentleman had been rejected because its operation would be to change the character of the franchise which was about to be established; while the clause under the notice of the Committee simply defined rights belonging to the franchise which now existed.

Sir ROUNDELL PALMER said, that the words "or shall be under the provisions of this Act" would have the effect of extending the application of the clause to all the new voters. Indeed, he could not see why the Committee should refuse to them a latitude which it was invited to go out of its way to give the old class of voters.

Mr. BOUVERIE said, that as he understood the clause its operation would be simply to confer on the freemen of a borough a privilege now possessed by occupying householders. He hoped the Committee would not assent to having such an alteration made in the law by a side wind.

Mr. HEADLAM said, he should oppose the clause, as tending to unsettle existing arrangements without any corresponding benefit. He opposed the clause of the hon. and learned Member for Richmond (Sir Roundell Palmer), and he should on the same ground oppose the present clause. At the present moment the seven miles radius was perfectly well known.

Mr. CHILDERS said, that the clause would alter the settlement made by the Reform Act respecting freemen and burgesses on this point.

The CHANCELLOR of the EXCHEQUER said, that the next clause on the Paper—that of the hon. Member for Glasgow (tenant's name and address to be given to collector of rates)—was no longer necessary after the decisions at which the Committee had already arrived. The next —that of the hon. Member for Lambeth (Mr. Thomas Hughes), relating to cumulative voting—he supposed the hon. Member would not proceed with after the division on the question which had already been taken. Then came the clauses which stood in the name of the Recorder of London (Mr. Russell Gurney), with respect to the disqualification of persons found guilty of bribery, to which there was no opposition on the part of the Government, and which might very well be brought up on the Report. The clause which stood next in order in the name of the hon. Member for Marylebone (Mr. Harvey Lewis) was withdrawn. There was, too, the clause of which the noble Lord the Member for Essex (Lord Eustace Cecil) had given notice, providing that convictions for felony and certain other offences should disqualify persons for the exercise of the franchise, with which he hoped the noble Lord would not find it necessary to proceed, inasmuch as persons convicted of felony were now disqualified. Looking further down the Paper he did not see any other clause which appeared to him to demand the attention of the Committee. Under those circumstances he hoped they would not object to proceed to the consideration of the Schedules.

Mr. THOMAS HUGHES said, that after what had taken place in reference to the Motion of the right hon. Gentleman the Member for Calne (Mr. Lowe) he did not intend to bring forward the clause which stood in his name.

Mr. MORRISON said, it was not his intention to press his Amendment.

Mr. LOCKE said, that the Chancellor of the Exchequer had not mentioned the clause which stood on the paper in his name in reference to notice of rate in arrear to be given to voters.

The CHANCELLOR of the EXCHEQUER said, that was a very important clause, and if the Committee should not approve it the Government would have to submit one drawn by themselves to their notice. In either case it would be necessary to make a corresponding alteration in the third clause, and it would therefore, he thought, be more convenient to let the matter stand over until the bringing up of the Report.

MR. GLADSTONE said, he rose to Order. It appeared to him that the Committee was proceeding in a manner wholly irregular, inasmuch as there was no question before them.

MR. RUSSELL GURNEY moved his clauses relating to the disfranchised boroughs—

> "Whereas the Commissioners appointed as aforesaid for the purpose of making inquiry into the existence of corrupt practices in the Borough of Totnes, reported to Her Majesty that the persons named in Schedule ( ) had been guilty of giving or receiving bribes: Be it Enacted, That none of the said persons so named in the said Schedule shall have the right of voting for the Southern Division of the County of Devon in respect of a qualification situated within the said Borough of Totnes."

And similar clauses with respect to Great Yarmouth, Lancaster, and Reigate. He said he understood that there was no objection to these clauses. The only object of the certificates given to these parties was to prevent their being criminally prosecuted in reference to the matters upon which they gave evidence, but the certificates did not state that these parties should be allowed to exercise the franchise.

Clauses *agreed to,* and ordered to be *added* to the Bill.

LORD EUSTACE CECIL moved the following clause:—

> "That any person who has at any time been convicted of felony, larceny, perjury, or subornation of perjury shall be held incapable of voting for the election of Members of Parliament."

As the law now stood no convict could be excluded from the franchise except during the time he was under sentence. Persons once convicted of the disgraceful offences mentioned in his clause should for ever be precluded from voting for Members of Parliament. As the franchise had been largely extended, it was incumbent on the Committee to endeavour to purify the constituencies from the ruffianly *residuum* alluded to by the hon. Member for Birmingham (Mr. Bright). It might be said that any such disfranchisement as he now proposed would have only a very partial effect; but the information he had obtained might have induced the Chancellor of the Exchequer to pause, if the right hon. Gentleman had been aware of it, before reducing the lodger franchise to so low a figure. In a former debate the hon. Member for Stoke (Mr. Beresford Hope) very unjustly taunted the Chancellor of the Exchequer with not bringing forward a ticket-of-leave franchise. The Bill really did admit a considerable number of ticket-of-leave men and thieves to the franchise. He had a return drawn up from very good information, by which it appeared that, under the Bill, there would be qualified to vote as householders and lodgers in the metropolitan districts, 639 thieves and ticket-of-leave men, and 1,068 bad characters. Perhaps the metropolitan Members would be glad to know something of their future constituents, and how they were distributed over the metropolitan boroughs. The hon. Members for Westminster would represent 61 convicted thieves and 113 bad characters. The hon. Members for Marylebone would represent 59 convicted thieves and 51 bad characters. The hon. Members for Finsbury, 65 convicted thieves and 213 bad characters. The hon. Members for Southwark, 43 convicted thieves and 49 bad characters. The hon. Members for Lambeth, 8 convicted thieves and 14 bad characters. The hon. Members for the Tower Hamlets, 78 convicted thieves and 60 bad characters. The hon. Members for Greenwich, 49 convicted thieves and 244 bad characters. The Member for the new borough of Kensington and Chelsea, 89 convicted thieves and 37 bad characters. The Member for Hackney, 94 convicted thieves and 64 bad characters. The rest, he presumed, would be represented by the Members for Middlesex. He did not know what action the Committee would take on the Motion; but it appeared to him that in any future scheme for the representation of minorities these men would form a considerable constituency, and be entitled to two Members. No doubt, in these days of railway mismanagement and commercial dishonesty, they would be able to find men who would adequately represent their interests. As the franchise was a trust it ought only to be exercised by those who could be trusted with their neighbours' goods. No Member would be anxious to reckon amongst his supporters these men. If thieves who occupied houses and lodgings of the annual value of £10 were to be admitted to the suffrage, it would be difficult to exclude honest men at all.

Clause read a second time.

SIR ROBERT COLLIER said, he moved the omission of the word "larceny." It was included in the term "felony."

Mr. GATHORNE HARDY said, that, as the Committee had adopted the principle of the clause, it would be necessary to introduce some modifications into it before it was added to the Bill. A man who had committed some petty larceny ought not to be disfranchised for life. A person convicted of manslaughter without any criminal intention, but from an act of negligence, would also be disqualified under the word "felony." Some care would be necessary in defining what particular offences should disqualify a man.

Mr. Serjeant GASELEE said, he would suggest that the clause should be extended to those to be elected.

On the Question, "That the word 'larceny' be omitted,"

Mr. GLADSTONE said, he considered they would be committing a very serious error in introducing a new principle of Criminal Law into the Reform Bill. This was a very grave proposal, and he had relied on the clause being opposed by the Government or he should have ventured to do it himself at an earlier period. The principle hitherto adopted had been that after a man had expiated his offence to endeavour to restore him to his former position, but the effect of this clause would be to cast a stigma on a man for the remainder of his life. Such a course of legislation had never been attempted in our colonies, where there had been a considerable number of expirees, many of whom had returned to an honourable and innocent mode of life. It was a question which required much fuller consideration than could be given to it in Committee on the Reform Bill, and, therefore, he trusted the clause would not be assented to by them.

The SOLICITOR GENERAL said, he thought it would be wise to hold over this clause for future and separate consideration. A person might be convicted of larceny at a very early age, and years and years afterwards, having in the meantime lived respectably and honestly, he was to be disqualified to give a vote. If adopted at all the clause would require to be very considerably limited.

Lord EUSTACE CECIL said, he thought it enough that a convict, on the expiration of his sentence, should be restored to the protection of the law. But he did not see why he should have the privilege of the suffrage conferred upon him. In Shoreham a class of voters had been disqualified for their lives, and their names were read over at every election. He thought "larceny" as bad as "felony," and should disqualify.

Mr. COLERIDGE said, he quite agreed with his hon. and learned Friend the Solicitor General that this clause required a great deal of consideration and amendment. As it now stood, it would include persons who had been pardoned after proof of innocence, for pardon did not reverse conviction.

Mr. HENLEY said, he thought the clause altogether wrong. A boy might be convicted of larceny for picking up a few apples under a tree. Was an act done twenty years before, he having led a respectable life in the meanwhile, to disqualify him from voting for a Member of Parliament? Besides, he did not see how such a clause could be carried out.

Mr. W. E. FORSTER said, he opposed the clause. When the time of his sentence had been served out an offender should be restored to society and, it was to be hoped, the honest performance of his duties. This clause would set a perpetual stigma and mark upon him. It would be the means of destroying all the good that had been done of late years towards reforming those who had transgressed the laws.

Mr. CANDLISH said, he would move the rejection of the words "felony" and "larceny." In its present form this might happen—a boy might pick up a turnip, be taken before a magistrate, convicted, and receive a smart whipping. That boy would be branded for life with a deprivation of the franchise.

Mr. CLAY said, he would recommend the noble Lord to bring up a modified clause on the Report.

Lord EUSTACE CECIL said, he would adopt this course.

Clause *withdrawn.*

Mr. BIDDULPH said, he had given notice of a proposal that priests, deacons, and ministers of the Church of Scotland should be eligible for election as Members of Parliament if they had not been clerically employed for twelve months. He was willing to defer moving it if he were allowed an opportunity of doing so at a future stage.

The CHANCELLOR of the EXCHEQUER said, that the subject was one of a grave character, and would probably lead to protracted discussion. The hon. Member would have the opportunity of raising the question at a future time.

MR. H. BEAUMONT said, he moved,

"That from and after the present Parliament the borough of Huddersfield shall return two Members instead of one to serve in future Parliaments."

A second Member was originally proposed by the Reform Bill of 1831. Only one Member, however, was given to it in the Reform Act. At that time the population was 19,035. Since that period it had increased to 34,897. There was an outlying population amounting to 26,066, which, added to the population of the existing borough, gave a total of 60,940. The inhabitants of Huddersfield had petitioned Her Majesty to grant a Charter of Incorporation for the whole of this population; and it was thought by many of the inhabitants, himself included, that it was desirable that the municipal and Parliamentary boundaries should be conterminous. Huddersfield was a beautiful town, with numerous handsome buildings. It had doubled its postage and its money orders since 1831, and 300 trains pass the station in a day. Much smaller towns, such as Newark and Bridgwater, had two Members. Places like Huddersfield were clearly entitled to as large a share in the representation. Though there was no prospect of finality in dealing with the redistribution of seats, it was desirable to settle the question for some years. The only way of doing this was by taking a higher scale of disfranchisement. He should be glad if the Government would consent to reduce the representation of boroughs with less than 12,000 inhabitants, for, with two exceptions, all the claims which appeared on the Paper might then be disposed of.

MR. AKROYD said, that the hon. Member for Huddersfield was absent in consequence of ill-health. He was indebted to that borough for his entrance into the House, and its population and importance entitled it to two representatives. In the original Reform Bill two Members were assigned to it, and had the Boundary Commissioners treated it in the same way as neighbouring boroughs, acting by rule instead of caprice, it would have obtained two Members in the Act of 1832. This Bill was designed to remedy the defects of that Act. The present Parliamentary borough, which was only one corner of the town, was almost entirely owned by one person. That landed proprietor had, much to his credit, abstained from interfering with the elections, but still it was galling to the electors to be under the power of one proprietor. If the Committee were disposed to give an additional Member to boroughs having now but one representative, he knew of no borough having a better claim than Huddersfield.

MR. BAXTER said, he wished to ask, whether appeals were to be made to give two Members to every place having a population of 34,000? If so the number of Members must be increased to 900. But then it appeared that by adding the adjacent townships the population of the Parliamentary borough of Huddersfield might be raised to 60,000. That was the population of the borough he represented. but although he had been asked to put a Notice on the Paper demanding a second Member, he had refused to do so. If claims of this sort were made, the number of Members would be increased to an extent that none of them would desire. He trusted that the Committee would discourage applications of this kind, which only took up their time needlessly.

THE CHANCELLOR OF THE EXCHEQUER said, he was very glad to hear such a flourishing account, doubtless true, of the condition of Huddersfield; but he could not admit that the hon. Gentleman had made out a case which ought to interfere with the progress of the Bill. There were other towns with superior claims to those of Huddersfield, which had only possessed its single representative for little more than thirty years, and which ought not to be impatient. It was not right to argue this question upon isolated cases. It was not proposed by this Bill to remove all anomalies; but the Government were trying to improve the representation of the people, which in dealing with ancient institutions was all they could hope to do. It is all very well to advocate the claims of particular localities; but in attempting to carry a measure like this there are a thousand circumstances to be taken into account, and, after all, the great consideration is to carry a measure not mean and not inconsiderable. If he were to take the line which the hon. Gentleman had adopted, and were to argue it in his way, there would be no end to such discussions. The population of Huddersfield was, it appeared, 34,000, and supposing that it were doubled by the absorption of adjacent territory, which, by the way, had not yet given in its adhesion, what were we to say to the Welsh counties, which in several cases returned only one Member, although the population was larger than 60,000? In one Welsh county the population was more than 80,000. Hon. Gentlemen who brought forward these isolated cases thought of no case but their own. The ground upon which this claim was based was, therefore, not tenable; but his objection was of a different character. They had now reached the month of July, and the question to be asked was whether this Bill was to pass or not? The Government could not deviate from the principle of the measure and the general scope of its design. All they could do was to ask the Committee now to complete the work upon the basis generally agreed to by both sides of the House. He trusted that proposals of this kind would not be encouraged by the Committee, but that they would all put their shoulders to the wheel, and carry this measure.

Clause *withdrawn.*

Mr. J. B. SMITH moved a clause prohibiting the opening any public-house for the sale of intoxicating liquors on the polling-day in any city or borough, or in any polling-town of a county, excepting to persons who shall have been resident in such inn or public-house for twenty-four hours previously. His object was to secure that the electors should exercise their important privilege in a sober manner. It was not necessary for him to detain the Committee, but this regulation was adopted in the United States, and was the reason why the elections were conducted in so quiet a manner.

Sir ANDREW AGNEW said, it was perfectly monstrous that people should be deprived of their ordinary refreshments because it happened to be polling-day.

The CHANCELLOR of the EXCHEQUER said, that as they were very often told that the whole question of Parliamentary Reform would be re-opened in the next Session of Parliament, he wished he could induce the hon. Gentleman to postpone his Motion until then. He believed that considerable alarm would be felt at such a proposal.

Clause *withdrawn.*

Mr. H. E. SURTEES: My right hon. Friend the Chancellor of the Exchequer having introduced a new clause, which has been accepted by the Committee, adopting the proposal contained in the clause of which I had given notice, namely—

"That no person shall be entitled to be registered in any year as a Voter in the Election of a Member or Members to serve in any future Parliament for any County, who shall within twelve calendar months next previous to the last day of July in such year have received parochial relief."

It is therefore only necessary for me to withdraw the clause.

Clause *withdrawn.*

Mr. DILLWYN moved a clause that the borough of Swansea should return two Members to serve in future Parliaments; providing also that each elector should vote for one Member only. There was only one borough now represented by one Member (Salford) which had a larger number of electors than Swansea, and the right hon. Gentleman the Chancellor of the Exchequer proposed to give an additional Member to Salford. The hon. Member for Wick (Mr. Laing) had included Swansea among the places to which he proposed to give a second Member. Swansea had more than doubled its population since the Reform Act. The number of inhabitants was 27,134 in 1831. The estimated population last year was 64,800. The rateable value had more than doubled during the last ten years.

The CHANCELLOR of the EXCHEQUER said, he was sorry to oppose the proposal of his hon. Friend who, as a Member of the Opposition, had treated the Bill in such a fair and candid manner, and whose statement of the case of Swansea was so moderate as to be entitled to every attention; but he would remind the Committee of what he thought they were too apt to forget, that when they had only a restricted number of seats to dispose of, they must look to their fair distribution over every part of the country. The borough of Merthyr Tydvil, which was larger than Swansea, was to receive a second Member, and he thought that ought to be sufficient to satisfy the claims of Glamorganshire: so of other places; they were to look at population and wealth, no doubt, but they must not forget if the representation of the locality had been already increased, and remember that the new Members ought to be fairly distributed over the country. He regretted he could not agree to the Motion.

Clause *withdrawn.*

Mr. KEKEWICH said, he had given notice of a clause for enabling non-resident electors in counties to vote by voting papers. Not wishing to interfere with the progress of the Bill, he would defer his proposal to the bringing up of the Report.

MR. MONK said, he had given notice of a clause for separating the parish of Clifton from Bristol, in order to constitute it into a distinct borough returning a Member to Parliament. West Gloucestershire was treated with exceptional hardship, and had fewer representatives, compared with its wealth, population, and distinctive interests, than any other county or division of a county in England. In 1861 its population was 297,500. It must now be 310,000, yet it had only two Members for the county and one borough Member, while the county of Buckingham, with a population of 168,000, though it lost one of its Members under this Bill, would still have eight Members. He would not press his Motion, but he hoped the hon. and learned Attorney General, who had admitted the claims of the county, would endeavour to obtain some redress from the Government.

Clause *withdrawn.*

MR. GLADSTONE: In making the Motion which stands next on the Paper in my name, I will not repeat the phrase used by every Member of his unwillingness to delay the progress of this Bill, but I will prove my intentions by my deeds, and will not trespass on the time and attention of the Committee beyond the limits which necessity appears absolutely to demand. The case of South Lancashire is one which, in respect to county representation, stands altogether alone. The proposition I wish to make out is that South Lancashire is treated with gross injustice, so far as the county representation is concerned, and I will show how strong my case is before I close. Gentlemen on this side of the House are placed in a difficulty in reference to the whole subject of re-distribution. There are two opinions which appear to divide the mind of the majority of the Committee in connection with this question, and I shall endeavour to show deference to those opinions. The first, which is entertained I believe to some extent on this side, but most widely by hon. Gentlemen opposite, is that the scheme of re-distribution propounded by Her Majesty's Government is on the whole sufficient in extent. The second of those opinions, which prevails very generally on this side of the House, is that that scheme of re-distribution is palpably insufficient in extent. But under the circumstances in which we stand, we hold that there is no hope of our enlarging it so as to bring it up to the point of sufficiency, consequently we make, as it were, our protest, and then—I must say on my own part, not without great regret—adjourn the further consideration of the question to a future year. I say with great regret, because the two great and chief branches of the subject of Parliamentary Reform are—first, that which relates to the franchise, and next, that which relates to the distribution of Seats. There are no other subjects which can be compared in magnitude with these, and it is much to be desired that any measure which bears the name of a Parliamentary Reform Bill should in the main be satisfactory and adequate so far as those two branches of the question are concerned. The proceedings of this evening have, I think, tended to supply an additional illustration of the fact that we cannot hope to have a sufficient scheme of re-distribution embodied in the present Bill. I have, however, to the last clung to the hope that we might have such a scheme of re-distribution as might be generally acceptable and satisfactory; and seeing the hon. and gallant Gentleman the Member for Bedfordshire (Colonel Gilpin) now in his place, I may say I hope that the Amendment of which he has given notice may yet receive a favourable consideration. But, however that may be, I hold it to be my absolute duty to place my present proposal and its grounds before the Committee. It is but fair, before arriving at the conclusion that this subject must be dealt with again hereafter, and at an early date, at least to give the Government and the Committee the opportunity of removing what I think are the most glaring defects in this scheme. And here I beg to observe that I raise no question which puts me in conflict with any of the large towns—no question connected with the metropolis, or connected with any portion of the town representation. I proceed at present on the principle laid down by Her Majesty's Government, that we are to consider the population of counties, and are to award an increase of Members to counties having some reference to that population; and then I say that you may consider a Motion such as mine upon either of two grounds. If you ask me how I should desire to obtain seats to satisfy in some partial degree the claims of South Lancashire, I should reply at once, "By taking them from the small boroughs." I would not deprive any one of the counties of any of the Members whom the right hon. Gentleman proposes to give them; but if he rigidly declines to take seats from the small boroughs, then I am compelled to show him that on his own principles, in endeavouring to redress the unequal state of the representation as between boroughs and counties of which he has repeatedly spoken, while he gives twenty-five additional seats to the counties, he treats South Lancashire with the greatest inequality and injustice in awarding it only one of those twenty-five Members. The principle which the right hon. Gentleman has often laid down is that the distinction he draws is not drawn between one class of counties and another, but between counties and towns. The right hon. Gentleman is perfectly justified in saying that in dealing with our whole institutions under complicated circumstances, we must not look for the production of a model of political symmetry ; but, admitting these considerations fully to apply very fairly to what is old, let us have some regard to equality in dealing with that which is new, and which we ourselves are about to introduce. How far, then, does this scheme of the Government proceed upon the principles of equality ? If twenty-five seats are to be given to counties, I contend that, upon every principle of justice, South Lancashire is entitled to a larger number of representatives than under this scheme she is to receive. What is the state of the representation of South Lancashire now? I state the case under great disadvantages when I go back for a period of six years. But in 1861, independently of the represented towns, the population of South Lancashire was 627,000, and the number of Members returned three, giving an average of 209,000 persons for each Member. To that state of things the right hon. Gentleman proposes to apply a remedy. He proposes to give South Lancashire—taking out Staleybridge—with its 607,000 inhabitants, four Members, or one Member for every 152,000. Now, let us see whether the Government, in doing this, act upon anything like the rule which they mean to apply to other portions of that homogeneous population which exists in the counties outside the boroughs. 152,000, according to the standard of 1861, is the number to be allowed in South Lancashire for a single Member. I may be told that in dealing with this, I should not confine myself to population only ; but I do not wish to take up the time of the Committee by entering into questions of rating and the income under Schedules A and D, which would strengthen my case. I take my stand upon population alone for the sake of brevity, and that I may indicate by my acts that I am averse from any unnecessary expenditure of time. The progressive element is one which, however, ought not to be left out of consideration when comparing counties like Lancashire with others which are stationary or declining, which is the case with some of those which I am about to mention. Judging by the past five or six years years, the population of South Lancashire will in 1871 amount to 758,000 persons. It will have four Members—that is to say an average of 189,000 persons for each Member, or very nearly as large a population as that, the anomalies of which the right hon. Gentleman now proposes in some degree to modify. Taking six counties with which he intends to deal, let us see how the matter stands. In Devonshire it is proposed to give one Member to 61,000 persons ; in Lincolnshire one to 56,000 ; in Norfolk one to 51,000; in Somersetshire one to 55,000; in Staffordshire one to 55,000 ; in East Surrey one to 52,000. I admit there are other counties unjustly dealt with as well as South Lancashire, but I want to know why is it that this new inequality to which I am adverting is to be created? We are repeatedly told that there are in the counties 11,000,000 people, and justice is claimed for them. But why should not justice be done to the parts of which those counties are made up? Do not call in South Lancashire to swell the total for the counties as against the boroughs, and then forget it when you are making a distribution of seats among the counties themselves, putting it off with such a modicum of representation as one Member for every 152,000 of a population which is growing, and in whose case the anomaly will be twice as great at the end of ten years as it is at the present moment. What I propose is that the mode of division suggested by the Government should be followed — that is to say that the county should be divided into two divisions. That I apprehend, is a mode of proceeding, which, whatever the number of representatives which may be created, ought, I think, to be adopted. To each of those divisions I ask that three Members should be given. The effect would be that a population of 607,000 would have six Members to represent it, so that there would be on an average 101,000 persons for each Member. I grant that this proposal is very fairly open to the remark that it is insufficient, and that it by no means removes the anomalies of which I complain, but only reduces or mitigates the evil. For not only in the case of the six counties to which I have alluded, but in that of the great majority of counties, the right hon. Gentleman asks us to allocate seats at the rate of one Member for 50,000 one for 55,000, one for 60,000—allocating in hardly any case a greater number than 60,000 to each Member. But I think it better to make a moderate claim which, if conceded now, may possibly settle the question rather than have the question re-opened in the course of a few years. At the same time, I make no complaint of the right hon. Gentleman for giving one Member to every 51,000 persons in Norfolk. I look upon that as a very fair arrangement. What I complain of is that he gives so much less to South Lancashire than to any other county with which he proposes to deal. I do not wish him to take a Member from Norfolk. What I want is that he should draw upon some of those boroughs which, though they may succeed in averting the blow at the present moment, are destined to a certain and an early doom. It is upon the grounds which I have stated that I have thought it my duty to lay before the Committee a salient and glaring case of inequality, not in our old system, but in the new scheme which the right hon. Gentleman proposes for our adoption. It is better, in my opinion, to take such a course than to pass these matters over in silence, reserving in our minds the intention of raising such questions anew, and at a very early period. I have not deemed it right to occupy much of the time of the Committee in making a proposal which I urge upon their attention, not as one for compassionate consideration, but as one which is in fact much within what strict justice warrants. Having done that I leave the matter in the hands of the Committee, because it is as far as possible from my intention to seek to enter into a protracted contest for objects which I must admit to be limited and partial. For if we cannot obtain justice in the re-distribution of seats, the next best thing, in my opinion, is to adjourn the matter to a future and in all probability an early day, and expedite as far as we can the passing of a measure which, undoubtedly, contains provisions of vast importance to the country.

Moved to insert the following clause :—

"That the southern division of the county of Lancaster be divided into two divisions, and that each division be represented by three Members."—(*Mr. Gladstone.*)

MR. ALGERNON EGERTON said, he thanked his right hon. Colleague for the able manner in which he had brought forward the case of the county. He could not say, so far as Lancashire was concerned, that the people were satisfied with the way in which they had been treated. The right hon. Gentleman the Chancellor of the Exchequer appeared to have played with them. First, Salford was to have an additional Member; then he was taken away—then he was given back again. Then it was said that Manchester was to have a third Member. If there was any town that was entitled to have three Members Manchester was so entitled, but for himself he would have been better pleased if the new Member had been given to some new constituency. He had great difficulty how to make up his mind in voting on this subject. If his right hon. Colleague went to a division he should feel bound to support him.

MR. AYRTON said, that the right hon. Gentleman the Member for South Lancashire had entered a general protest against the insufficiency of the Bill with respect to the re-distribution of seats; but it was impossible not to see that the Bill, as far as it went, dealt practically with the means which the Government had in their hands. The borough which he represented was the same in population and quite as good in intelligence as South Lancashire; and it would be easy to show that, when divided, each division ought to have three Members. Looking at the whole scheme of re-distribution, it must be admitted to be comparatively insignificant; but all that could be done now was to take advantage of opportunities like the present, and endeavour gradually to bring the representation nearer and nearer to a right standard. As the House seemed determined at present to disfranchise only a comparatively small number of places, he, for one, was quite content to see the Bill passed in its existing shape, reserving the question of further re-distribution, to be dealt with in another measure, which would probably satisfy reasonable expectations by an arrangement more in accordance with the population and intelligence of the various parts of the kingdom. With the means at his disposal the Chancellor of the Exchequer could not meet all the just claims that would be made on him. There was no doubt that the present scheme was an inadequate one. Half the borough population of England had at present thirty-two Members. The other half had 270 or 280, and the half which had the lesser number was the one most rapidly increasing in influence and wealth. The only answer to the demand of the large boroughs for a fair representation was that their inhabitants had at present a great indirect influence over the smaller boroughs. It was said, and truly said, that men from the great cities went to the small towns, bought them, took possession of them, and did with them as they pleased. An electioneering agent from one of these small boroughs, where there was not amongst the inhabitants any person of intelligence or wealth sufficient to qualify him for the candidature, came up to London to look for a candidate. If he could not find one there—if his terms were too high, he went to Manchester. If he could not find one at Manchester he was sure to find one at Liverpool. The man who, if he represented some constituency where he felt he would be watched by those who had known him all his life, and whose good opinion he valued, would make a valuable Member, was a most mischievous representative when returned for a constituency to whose interests he was indifferent. The fact was that the present system of distribution was the result of years of Court intrigue, and would take years to settle on a proper foundation. An excellent attempt to attain this desirable end was made by Parliament after its great triumph over kingly usurpation. But that Act of Settlement had been repealed by the wretched Parliament which assembled under Richard Cromwell. He was glad his right hon. Friend the Member for South Lancashire had placed on record a protest against this state of things being accepted as finally settled, and was also glad to hear that his right hon. Friend would not only allow the Bill to pass without obstruction, but would do all he could to facilitate its progress.

The Marquess of HARTINGTON said, that as his right hon. Friend had called attention to the representation of South Lancashire, he wished to direct notice to the northern division of the county, which contained a population of about 500,000, 374,000 of whom were persons living outside the represented boroughs of the county. He admitted that the modicum of representation allotted to the northern was not so insignificant as that extended to the southern division. Nevertheless, the electors in the northern division were only given one Member to every 90,000 persons. This was not only one of the largest and most important, but one of the most progressive constituencies in the country. What was the new scheme of representation proposed for it? Two Members were taken away from one borough in it, Lancaster, and two additional Members were given to the county and another to Manchester. The constituency would gain one Member. He thought that as far as the county of Lancaster was concerned there was great reason to complain of the measure of the Chancellor of the Exchequer. There were in this district no less than five towns, maufacturing groups, which had petitioned Parliament for representation. Their claims had been placed before the Chancellor of the Exchequer, who had promised to give the case his best attention, which he supposed he had done. Collectively they had a claim to a greater measure of consideration than they appeared to have yet received in this Bill. He should be glad to hear from the right hon. Gentleman before they went to a division on this Motion that he was prepared to reconsider the case, and, even at this advanced stage, to give a more extended measure of justice to the county. It would give him still greater satisfaction if the Government were to withdraw this portion of their Reform scheme altogether, and postpone it till next Session. He had seen a calculation made that if England and Wales were equally divided in area, taking either population or property, and not including the metropolis, the northern division would be found under represented by sixty Members. Twenty have been taken from the south and given to the north, but still the south had forty in excess of the north. A scheme which allowed so great a discrepancy to remain was not likely to be either a final or a satisfactory settlement. He had no doubt hon. Gentlemen opposite, when they considered the democratic franchise given by this Bill, took some comfort from the extremely Conservative character of the re-distribution. But he did not think experience would give them reason to congratulate themselves long on that point. Many of them now believed that if they had consented to a moderate Reform some years ago they would not have been called on to pass such a measure as this, and so if they would now agree to a more fair re-distribution, and postpone the matter till next Session, a sweeping and more extensive change, such as was probably anticipated by hon. Members below the gangway, would be prevented for a number of years. He hoped that the case of Lancashire and Yorkshire would even in this Bill be more favourably considered by Her Majesty's Government.

THE CHANCELLOR OF THE EXCHEQUER: I think the right hon. Gentleman has brought the claims of his constituents before us in a very fair spirit. I see no reason to complain of the case he has placed before the Committee. If the question had to be settled on arithmetical calculations, and on considerations of political symmetry, his proposal would deserve grave consideration, if not acceptance. But we are not here constructing a new system of representation for this ancient and powerful kingdom. Having resolved to improve the representation of the people as regards the franchise and re-distribution of seats, we are taking steps which we think will effect that object — measures which we believe we can carry, and which will secure, as far as they go, the purpose we have in view. Something has been said as to the insignificant nature of our proposals with respect to re-distribution. I do not think they are insignificant. I think that if you consider this question in the proper light and spirit as to the conception and execution of this scheme, for which the House is responsible as well as the Government, and for the merits of which I claim no more share than we are fairly entitled to from having sedulously endeavoured to perform and fulfil all that was prudent and practicable, that we may regard this scheme with fair self-congratulation. With regard to the county representation in which there are irregularities which have been acknowledged for years, you are about to effect a vast improvement, and yet, while you effect a great change, it is carried without any of the acerbity of political passion—it is not the result of a conflict in which a triumph of party has obtained some great end; but it is a conclusion arrived at by the honest conviction of the House of Commons. It is no mean change. Additional representation affecting twenty-six of our counties is not a mean change. It is one which will give a new feature to our Parliamentary representation, and will, I think, give general satisfaction to the country. There is a powerful party, I believe a majority in this House, who think that the great towns should have an increased representation. I have expressed my views and those of my Colleagues on that subject. We would rather have distributed the means at our disposal than have aggregated and accumulated them in particular cases, but there has been a strong opinion expressed on the other side, and we have, to a certain extent, deferred to that opinion. With regard to the representation of new communities, it cannot be denied that no slight proportion of new communities are now called into direct Parliamentary existence. These appear to me considerable results. It is very well for us to disparage our own labours. It is a habit with the House of Commons. It is very easy to appeal to an impending future which will be wiser than ourselves, and the hon. Member for Brighton is always ready to cheer that sentiment. But what we have done I believe to have been practical, prudent and not deficient in sagacity; and that it will obtain the confidence of the country. But now, applying ourselves to the case before us, the right hon. Gentleman complains that I have rigidly declined the further disfranchisement of small boroughs. I do not think I have shown any blamable rigidity on that subject. The original plan of the Government was moderate; but, I believe, it was then the utmost we could safely propose to the House of Commons, looking to its practical character, and the chance of its passing this House. The House took the subject up and laid down its own principle. It was carried by a large majority. What did the Government do? We honestly and sincerely adopted the decision of the House: and we acted upon it. Therefore, the right hon. Gentleman is scarcely just in imputing to me that I rigidly declined to avail myself of the resources that might have come from that quarter. But he says South Lancashire has been treated with inequality and injustice: the House had to deal with forty-five seats, and Lancashire has received eight of these. Is that treating Lancashire with inequality and injustice? It is very true, as the right hon. Gentleman says, that we are only giving one additional Member to the county representation of South Lancashire, and that the population and wealth of that county are greater, with one exception, than those of any other county in the kingdom. But the right hon. Gentleman must recollect that there are other things to be considered besides the mere population and wealth of a particular district. He should recollect too, that the representation of South Lancashire has been increased within the last few years, and that we are now about to give it an additional Member. But, in addition to that increase in the county representation, the right hon. Gentleman must recollect that, in settling this question of the re-distribution of seats, however much may be the discontent felt that the county of Lancaster has not a greater proportion of Members, still there must be taken into account, in order to consider the question fairly, that the boroughs of the division are to receive increased representation. Liverpool is to receive a new Member. Manchester is to receive a new Member. The same is to be the case with Salford. Burnley, and Staleybridge are to be separately enfranchised. The northern division of the county is also to have its representation increased. These five additional Members added to the two additional Members given to the northern division and the one to the southern division of the county make eight additional Members that have been added to the representation of Lancashire. This addition to the representation of that county may not be equal to the claims it puts forward; but it is, at all events, sufficient to render it absurd to say that it has been treated with neglect. The other night, an hon. Member complained in like manner that the county of York had been neglected, when, in truth, it had received five additional Members. We cannot divide the whole forty-five seats at our disposal between these two counties. It is all very well for hon. Members to come with fanciful programmes of this kind before the House, and to argue that, omitting the claims of the metropolis, the population and the wealth of the North of England are greater than those of the South. I think it very unwise to go into this sort of calculation at all, for if we are to omit the claims of the metropolis, on the same principle we must omit the claims for increased representation of the great boroughs containing so great a share of the population and wealth of the North. Therefore, the view of the noble Lord who has just spoken appears to me to be scarcely invested with that character of solidity which is necessary in Parliamentary discussion. So much, then, for the neglected claims of the county of Lancaster. But the right hon. Gentleman went further, and proceeded to contrast the numbers represented by the Member for South Lancashire with those represented by the Members of some four or five other considerable counties which he mentioned. I should never have thought of making such a contrast. It is not to be expected that in an ancient Constitution the representation can be arithmetically divided between the various populations. On such a subject our arrangements must necessarily be of a rough character, and our calculations and estimates hardly less so, although they may approximate to the principles of political justice. But let us apply this test—a test which is entitled to some weight in arriving at a decision upon the matter. Let us see what is the proportion of the population of Lancashire to its Members as compared with that of other counties. I find the number of Members who will represent the county and the boroughs of Lancashire under this Bill is thirty-two, each of whom will represent a population of 66,700. I think that it is fair, in argument, to take the representation of the county and the boroughs in that county together in estimating the proportion of the population to each Member. It is realizing the position taken by the right hon. Gentleman, although, perhaps, not in exactly the same way that he arrived at it. Having arrived at the proportion between the population and the representation of Lancashire, let us see what is the case in Middlesex. I repeat I have no desire to go into these calculations; but when the noble Lord who has just sat down talks of the neglected claims of Lancashire, I am compelled to test how far that charge is justifiable. Under this Bill the county of Middlesex will be represented by eighteen Members, each of whom will represent a population of 122,500. I hope I have shown the Committee some reasons which may induce them to pause before they disturb the scheme which Her Majesty's Government have brought forward, in the preparation of which they have been asisted by the House of Commons, and which the Committee of the House of Commons has virtually sanctioned. The noble Lord who last addressed us has talked of memorials which have been addressed to me by places in the division of the county which he represents claiming to be entitled to representation. I said I would consider those memorials, and I did consider them. What is the real state of the case as regards those communities? We have only forty-five seats at our disposal, and of those a considerable, but not an inadequate, number has been given, in accordance with the opinion of the great majority on both sides of the House, to the counties. We have also, in accordance with the opinion of the House, and in the spirit of conciliation and compromise, appropriated certain seats to increase the representation of the great towns, and with the remainder we have now for the first time given representation to those considerable communities which have arisen since the passing of the Reform Act of 1832. And now in courteous phrase the noble Lord would give the House to imagine that I had neglected the claims of the places to which he refers—namely, Accrington and Over Darwen, the first of which has a population of 13,817, and the the second, 14,327. With the limited means at our disposal and the great occasion there was to meet the claims of the counties, the great boroughs, and the new and thriving communities, we are now reproached with having neglected the claims of such places as Accrington and Over Darwen, which have a population of between 13,000 and 15,000, and we are threatened with a new agitation—probably a revolution when the new Parliament meets—because the claims of those places have been passed over. I do not really think that the North of England has any ground for complaint. I must remind the Committee that we cannot allow the whole of the new representation to be aggregated in one portion of the country. We must trim the ship according to circumstances. I have shown that the county of Lancaster will receive eight additional Members, the West Riding five, and Yorkshire six. Let it be recollected, also, that there are three places in the county of Durham which are not represented in the present Parliament which will now be represented for the first time, and that all this has been done with the limited means at our disposal, and I do not think it can be justly said that we have neglected the interests of the North of England in the scheme of re-distribution which we have laid before the Committee, or that we have treated it in a manner which deserves the reproaches of the right hon. Gentleman the Member for South Lancashire. I must, however, leave the matter in the hands of the Committee; but I call upon them to support Her Majesty's Government in the plan of distribution which has now been before them for some time, which they themselves have in a large degree fashioned, which they have virtually sanctioned, and which I hope in the month of July they will not disturb.

COLONEL SYKES said, he would remind the Chancellor of the Exchequer that, although he had only forty-five seats to deal with, he might have had any number he liked. The right hon. Gentleman had certainly treated the subject very "roughly" when, according to his own showing, a Member for Lancashire represented a population of 66,000, and a Member for Middlesex a population of more than 100,000, and yet there were eleven boroughs with a population under 5,000 returning each one Member to Parliament. There were also fifty-nine boroughs sending Members to the House with a population under 10,000. Here was an ample field for procuring additional Members. Did any Englishman suppose that such monstrous disproportions in the electoral system would be allowed to remain? An agitation must necessarily take place next year from the outraged feelings of Englishmen on this subject, although, for himself, he could have wished the Bill had given a prospect of peace for at least one generation.

MR. NEWDEGATE said, he intended to vote with the right hon. Gentleman the Member for South Lancashire if he went to a division. Though he should not himself have selected Lancashire as the county that stood most in need of additional representatives, yet, as it appeared to him that the real question was as to the proportion of Members to be allotted to the counties as compared with the boroughs, he should vote for increasing the number of county Members. At the same time he did not think this could be a settlement of the question. When the Chancellor of the Exchequer took credit for the justice done to the counties, he reminded him that it was the act of the House to add the extra Members to the counties, by carrying the Motion of the hon. Member for Wick (Mr. Laing) against the Government. He felt more grateful to the House than to the Government, but he did not think they had done enough. They had gone so far to extend household suffrage that there ought to be more county Members; but the question was one too large to raise in the present state of the Committee.

Clause *negatived.*

MR. DARBY GRIFFITH moved the following clause:—

> "That any person possessing a freehold, copyhold, or leasehold qualification within the Parliamentary boundary of any Borough, and residing within seven miles thereof, shall be entitled to be registered as a Voter for such Borough, if he shall so prefer, and to vote at the Election of a Member or Members to serve in Parliament for such Borough, in respect of such qualification, instead of for the County in which such Borough is situated."

He said that a somewhat similar proposal had been brought forward a few days ago, but it was objected to that clause that it was a disfranchising measure. The present clause, however, was free from that objection. Indeed it was altogether an enfranchising proposal, as it gave the voters the option of being upon the borough or the county list.

COLONEL DYOTT said, that the clause was so much like one he had proposed, that he could not do otherwise than support it. The only divergence from his own was in the introduction of the words "if he shall so prefer." He appealed to Scotch and Irish Members to aid in extending to England a privilege enjoyed in Scotland and Ireland.

MR. AYRTON said, he hoped the Government would not assent to so mischievous a proposal, which would enable a few persons to manipulate a constituency in a manner that might amount almost to corruption. It was an extravagant idea to think of leaving the constitution of a constituency to be determined by a few electors.

MR. GATHORNE HARDY said, that the clause was in its main provisions one that the Committee had already disposed of, and the Government could not fairly attempt to rescind the decision the Committee had come to. The Government had attempted to make a distinction with respect to freeholders, but the proposal was rejected by the Committee.

Clause *negatived.*

LORD HENLEY moved the insertion of the following clause:—

> "At every contested election of a Knight or Knights to serve in any future Parliament for any County, or for any Riding, parts or division of a County, the polling shall commence at eight o'clock in the forenoon of some day, not later than the fourth day, from the day fixed for the election, and be kept open until Five o'clock in the afternoon of such day at the principal place of election, and also at the several places appointed for taking polls, any statute to the contrary notwithstanding; and the sheriff shall before Four o'clock on the day so fixed for the election give notice at the principal place of election of the day when the said polling shall commence."

The object of the clause was to lessen the expenses of county elections. At present it frequently happened that a number of arrangements were made and large expenses incurred at county elections in consequence of the doubt as to whether the election would be contested or not, and then, if there were no contest, those expenses were perfectly useless, and were merely so much money thrown away. If this clause were passed it would enable the sheriff to ascertain whether there would be a contest or not, and, if not, a large proportion of the election expenses might be spared.

THE CHANCELLOR OF THE EXCHEQUER: I appeal to every Knight in the House whether the effect of the clause would not be to increase the expenses of county elections.

Clause *negatived.*

COLONEL GILPIN moved the following clause:—

> "That the four Parliamentary Boroughs next above ten thousand inhabitants, according to the Census of 1861, now returning two Members each, shall only return one Member; and that Luton, Keighley, Barnsley, and St. Helens, shall each return one Member to serve in Parliament."

He said, that nothing could be further from his intention than to impede the progress of the Bill. He proposed the clause in a spirit of conciliation, and hoped it would be accepted in the same spirit. It must be obvious to everybody that, in any scheme for the re-distribution of seats, or for amending the representation of the people, the claims of great and important rising localities deserved the fullest consideration as against other localities which had become of less importance, or which had totally changed from what they were when they were originally enfranchised. That principle had been acted upon by Her Majesty's Government, and the Chancellor of the Exchequer had proposed in the present Bill to enfranchise, among other towns, those of Luton, Keighley, Barnsley, and St. Helens. But, having afterwards to provide four other new seats, in accordance with the Motion of the hon.

Member for Liverpool (Mr. Horsfall), the right hon. Gentleman subsequently — to the astonishment and, he believed, to the dissatisfaction of the House—announced his intention of not carrying out his original proposal so far as Luton and the other three towns named in the present Motion were concerned. The right hon. Gentleman assigned no reason for that course ; and the feeling of the House was that those four towns were most unfairly treated, especially in the absence of the amended population Return necessary to enable the Committee to form a correct judgment in the matter. It could not be expected that large towns would be satisfied without representation, while small and insignificant places returned two Members each; and he hoped the Committee would find a mode of providing the four seats required by the adoption of the Motion of the hon. Member for Liverpool, other than that of taking them from the source indicated by the right hon. Gentleman. One mode by which this might be accomplished was the disfranchisement of four smaller boroughs ; but there was an understanding that no disfranchisement was to be effected by the present Bill. A second proposal was that made by the hon. Member for Wick (Mr. Laing), to obtain seats by the grouping of small boroughs; but it was one thing to group small towns for enfranchisement, and quite another thing to group towns which had long possessed independent representation. While the first course might be attended with utility and convenience, the second could lead only to jealousy and dissatisfaction. The third proposal was that which he now made—namely, that the four constituencies, next above 10,000 in 1861, returning two Members, should return only one Member. He did not think any one could say this was an unreasonable proposal, and its adoption would give considerable satisfaction to the country, and do something towards making the present re-distribution a permanent arrangement. He begged to move the clause of which he had given Notice, and which he submitted to the Committee in a spirit of compromise, and with a view to facilitate the progress of the Bill.

Clause—

(That the four Parliamentary Boroughs next above ten thousand inhabitants, according to the Census of 1861, now returning two Members each, shall only return one Member ; and that Luton, Keighley, Barnsley, and St. Helens, shall each return one Member to serve in Parliament,) —(*Colonel Gilpin,*)

—*brought up*, and read the first time.

Mr. DENMAN said, that, as representing one of the four towns (Tiverton) which would be partially disfranchised if this clause were carried, he felt it his duty to resist the clause to the utmost of his power, in the interest of his constituents. It was a good and sound principle that there should be no disfranchisement, either total or partial, of any borough, unless it were clearly made out to be necessary for the good of the whole country, and to be done for a purpose which was, in itself, so useful, wholesome, and essential as to counteract the evil of even partially depriving any place of the privileges it now possessed. With regard to the borough of Tiverton, one of the four boroughs which came within the scope of the Motion, he thought the fact of its having for thirty years returned Lord Palmerston to Parliament was sufficient of itself to entitle it to some respect. He might say the same of the borough of Tamworth, in connection with the name of another great Leader of this House, which would be in the same predicament as Tiverton if this clause were carried. The question of re-distribution had been carried to great lengths since last Session, and seemed generally to be based upon mere numerical considerations, such as the number of voters which a certain place did or might produce. He had always protested against that view ; and he contended that, unless a very strong affirmative case indeed were made out for the enfranchisement of some other place, it would be wrong to disfranchise any borough already represented in Parliament, and that such disfranchisement would be reckless, premature, and useless. The four boroughs which would be partially disfranchised if this clause were adopted were Tiverton, Tamworth, Warwick, and Barnstaple. What were the four places for which that partial disfranchisement was to take effect? The first was Luton ; and, in order to make that into a Parliamentary borough, it was proposed to take two small towns—Luton and Dunstable—which were four or five miles apart, and neither of them, he believed, having an urban population nearly so large as Tiverton, and to club them together, with the agricultural district around, in order to make one borough. It was contended that separate and independent interests, not yet represented in Parliament, should be so represented; and what was the separate and independent interest of Luton and Dunstable? Simply the plaiting of straw for the manufacture of straw bonnets, which was carried on in agricultural cottages by large numbers of women and children. One argument which he would urge in favour of the borough of Tiverton was an argument which affected the pocket. In many boroughs a contested election cost thousands of pounds. But in Tiverton—and this certainly was a consideration worth notice—election expenses were exceedingly small. When he contested that borough with his hon. Colleague who sat opposite at the last General Election, that hon. Gentleman's expenses only amounted to £310, he having to carry on the fight single-handed, while his (Mr. Denman's) expenses were only £182. As regarded Tiverton, Tamworth, and Warwick, they had acquired a character for independence and honesty which did not belong to a great many larger boroughs in the kingdom. It appeared to him that, upon this question of disfranchisement, they should not look alone to population, but rather to respectability of character, and to the distinctive character which they might possess in the county in which they were situated. When a borough had acquired a character for honesty and integrity, the proposal to deprive it of its franchise was unjustifiable. The new borough of Luton and Dunstable might come in time to bear an equally high character, though it was dangerously near to St. Albans, whose character did not stand by any means high. In considering such a proposal they were bound to look, not only at population and character, but at the qualifications of the place itself. Tiverton was the only manufacturing town west of Bristol, while some of the new boroughs had none of the qualities or elements which fitted them for returning a Member. Such places as Keighley and St. Helens had no distinctive character of their own, and were mere agglomerations of brick and mortar and steam-engines, while Barnsley was a mere repetition of Sheffield on a small scale, and at no great distance. The case of Croydon, with its 30,000 or 40,000 inhabitants, which was originally proposed for enfranchisement, was an infinitely stronger case than the two little towns of Luton and Dunstable. The Bill would double the constituency of Tiverton, and the new portion to be added to it was as fit to exercise the franchise as the inhabitants of any place in the kingdom. He hoped the House would not consent to the Motion brought forward by the hon. and gallant Member for the benefit of his own county. Tamworth, Warwick, and Barnstaple were also interested in this question, and had equal claims to their consideration. He should not refer further to them because he knew that those Members who now represented them would be desirous of advocating their claims. He hoped the Committee would not entertain the Motion.

Mr. HENRY BAILLIE said, he objected to the clause on the ground that as the Committee had deliberately decided that boroughs of less than 10,000 inhabitants should return only one Member, it was inexpedient arbitrarily to take four other boroughs having a greater population than 10,000 and to treat them as if they had less. If the Committee wished to fix on some other number of inhabitants, such as 12,000, let it be done. But whatever course was adopted he hoped it would be in accordance with some definite principle. The success of the Motion would practically upset the whole of the scheme.

Lord FREDERICK CAVENDISH said, that if the right hon. Member (Mr. Baillie) would propose to give one Member only to boroughs of less than 12,000 population he would vote for him; and he would vote for the hon. and gallant Member's clause because he believed he wished to obtain his object with as little disturbance as possible, and because much was said in favour of his proposal on its merits. There were strong reasons why those four boroughs, Tiverton, Tamworth, Barnstaple, and Warwick, should be included in the list of places which were entitled only to return one Member. Tiverton, Tamworth, and Warwick only contained populations of over 10,000 each by excessive area, the area of Tiverton being twenty-seven square miles, Tamworth seventeen square miles, and Warwick seven square miles. None of them were rapidly-increasing places; the increase of population in Tiverton since the Reform Act having been only 7 per cent, that of Warwick and Barnstaple 16 per cent. Another argument was that those boroughs were situate in counties already over represented, there being in Devonshire six Members, being one Member to every 28,000 of the population, and in Warwickshire, one Member to every 25,000 of the population. If those counties were compared with those from which the Chancellor of the Exchequer proposed to take away Members it would be found that in South Lancashire, for example, there was one Member to a population of 89,000, and in the West Riding of Yorkshire one Member to every 68,000. The Chancellor of the Exchequer had stated the other evening, in answer to a complaint which he (Lord Frederick Cavendish) had preferred on behalf of his constituency, that he proposed to give to that constituency five Members, but those who cheered the statement should remember that whilst the right hon. Gentleman gave five Members with the one hand he took away four with the other. The borough representation of Yorkshire was, in fact, to be diminished, in order that the Government might obtain from the West Riding of Yorkshire, in defiance of all geographical considerations, an agricultural constituency. The Chancellor of the Exchequer had said that questions of re-distribution should be considered with respect to the whole district concerned. The claims of Keighley to representation were great. Worsted manufactories, which were scarcely known in 1832, had their chief place in Keighley, and formed the third great trade in the kingdom. The export of worsted manufactures came second only to the export of cotton and iron, and ran closely on the heels of those, yet no trade was so inadequately represented as the worsted. He knew of only one good reason for rejecting the clause; that was that, as the Government scheme was so very inadequate to the circumstances of the case, it would be better to leave it with all its blemishes to excite the amending propensities of a new Parliament.

MR. WALROND said, he was afraid he had listened hitherto with too much complacency and too little commiseration to the appeals of hon. Members whose constituencies were in danger of losing a representative. But he had not then thought that any hon. Members would be offered in sacrifice to Moloch, much less that the officiating priest on the occasion would rise from a seat beside him. This proposal, coming as it did from his own side, would meet with greater rather than less opposition from him on that account, because it was always the more to be regretted when one's foes were found among the members of one's own household. The proposal made by his hon. and gallant Friend was founded upon no principle at all, or if there were any principle in it it was at best but a meretricious and distorted one, because it disturbed the settlement of the question at which the Committee had determined on a former occasion. His hon. and gallant Friend agreed to the limit of 10,000 in all cases, excepting four. Those four he took from the boroughs bordering most closely on the limit. The result of that invidious proposal would be particularly disastrous to the boroughs remaining on the frontier. They would inevitably be regarded as victims to be sacrificed to any constituency whose claims to additional representation could find a sufficiently pertinacious and clamorous advocate. He had been in hopes that they had escaped from the barbarism of former days, which delighted in projects of disfranchisement. The Government had given up the dual vote—had given a lodger franchise—then do not let Gentlemen on either side of the House ask for more. He had always been in favour of acting in a spirit of compromise, and the whole of the conduct of the Government, from the first day of the Session until that moment, had been dictated by that spirit. By the concession so made, the Opposition had been considerable gainers, he thought, therefore, he might fairly appeal to their generosity. If they had been extortionate hitherto, he trusted that they would not also be unfair and dishonest, and unsettle an arrangement when it had been effected. He trusted, therefore, that the Committee would not agree to the Amendment proposed by his hon. and gallant Friend.

MR. WHITBREAD said, he regretted that the hon. and gallant Gentleman had not contented himself with moving the first portion only of the Amendment, leaving the settlement of the means to the Chancellor of the Exchequer, or, as the right hon. Gentleman would probably have expressed it, to the wisdom of Parliament and the liberality of the Sovereign. The claims of three Northern boroughs had been well supported, and he, therefore, only proposed to refer to the Southern boroughs. The appeal to which they had listened that evening from his hon. and learned Friend the Member for Tiverton (Mr. Denman) might be taken as a fair sample for the appeals made by the Members for the moribund boroughs. His hon. and learned Friend's comparisons, however, were scarcely correct; for the fact was that the population of Tiverton was rather less than half of that contained in the town of Luton alone. In point of magnitude and importance, too, the lace trade at Tiverton would bear no comparison with the straw trade at Luton. The straw-plait trade had no representative in that House. Why should that trade be denied a representative more than the worsted, or cotton, or any other trade? It was said that the straw-plait trade was mostly carried on by women. But if that were an objection, what would become of the argument of the hon. Member for Westminster? There was no town, the enfranchisement of which had been proposed, the population of which between 1851 and 1861 had increased so rapidly as that of Luton. That it afforded employment to a great many women who were enabled to earn livelihoods without working in vitiated atmospheres or neglecting their domestic duties was an argument rather in favour than against conferring representation upon a place where such a trade existed. He thought that the proposal to give a Member to a borough of this kind, and thus secure for an important trade a voice in the Legislature was a sound one, and as such he should support it.

Mr. J. PEEL said, he wished to say in favour of Tamworth that it was a rising borough with varied interests. It had a considerable cotton manufacture, a large earthenware manufacture, and an important seed-crushing establishment; while the farmers in its neighbourhood were the most intelligent in the kingdom. His constituents would be unwilling to stand in the way of any large scheme for the re-distribution of seats, but would feel justly aggrieved at being deprived of one of their Members in order to facilitate fancy additions being made to the Government scheme. The town from its historical associations, also, was entitled to some consideration at the hands of the Commitee. He hoped that the Chancellor of the Exchequer would not allow the arrangement he had made to be disturbed.

Mr. REPTON said, he hoped the Committee would not entertain the proposal. The northern division of Warwickshire was represented by six Members, and an additional one had been given to Birmingham, making seven. The southern division possessed only four Members, two for the division and two for the borough of Warwick, and yet those four Members were to be reduced to three. He objected to a large agricultural district like the borough of Warwick being deprived of one of its Members in order that Luton might return a Member to Parliament.

Mr. ALGERNON EGERTON said, that the case of St. Helens had been placed in his hands. St. Helens contained an area of nine square miles, with a population of 41,000. Its rateable value was £140,000. Half the glass that was made in England was manufactured at St. Helens. The manufacture of glass and the coal raised in the district was of the annual value of £3,000,000. That showed that the demand made for St. Helens was not an absurd one.

Mr. A. PEEL said, that it had never been proposed in any Reform Bill up to the present time to reduce the representation of Warwick, neither was such reduction proposed in the original scheme of Her Majesty's Government. He had reason to complain that it was now sought to deprive it of one Member for the purpose of carrying into effect a piecemeal and fragmentary plan of re-distribution. What was the principle upon which it was sought to take away one of the Members from Warwick? The hon. and gallant Member, to gratify a statistical crotchet, proposed to deprive the borough of one of its Members simply because its population happened to be between 10,000 and 12,000, totally regardless of its claims in other respects. He complained that the hon. and gallant Member for Bedfordshire endeavoured to obtain representation for the four towns named at the expense of a principle. The Committee had decided to disfranchise below 10,000 to the extent of one Member. If the proposal of the hon. and gallant Member were adopted, the House of Commons would shortly have to consider whether they were not bound to restore the Member it was now proposed to take away. The borough was not a decaying town. It was a flourishing and increasing one, and in its immediate neighbourhood was the large town of Leamington. Should the Boundary Commissioners take it into their heads to include that town in the borough of Warwick, the very act it was now sought to do would have to be undone. Warwick might have 22,000 persons added to it. He hoped, therefore, that, pending the action of the Boundary Commissioners, a Member would not be taken away from it. As a resident in Bedfordshire he shared in the wish to see the straw plait capital represented; but he would appeal to the Committee whether it would not be fairer to go down to the bottom of the list and disfranchise the four boroughs with the smallest population, than to reduce the representation of places with between 10,000 and 12,000 inhabitants, after having adopted 10,000 as the standard of disfranchisement? He wished to take the sense of the Committee upon an Amendment that Arundel, Ashburton, Honiton, and Lyme Regis, having a less population at the Census of 1861 than 4,000, should cease to return Members, and that the seats should be given to St. Helens, Barnsley, Keighley, and Luton.

THE CHAIRMAN said, the clause must be read a second time before this Amendment could be moved.

MR. H. BEAUMONT said, he thought Barnsley had been unfairly treated. It was not the smallest of the boroughs proposed for disfranchisement, Darlington, for instance, having 16,000 inhabitants, whereas Barnsley and its contiguous parishes had 30,000, its gross estimated rental being £133,000, and its rateable value £109,000. Its population had increased 10 per cent in ten years. It was the principal seat of the linen manufacture in the North of England; and without prejudice to Rotherham and Doncaster, whose claims he intended to urge, he thought that, having been promised a Member, it was entitled to prior consideration. Barnsley, having been placed in the Schedule by the Chancellor of the Exchequer, had a right to be considered before all other places. It was the duty of hon. Members to look after their own districts; and he expressed a hope that the Committee would not sanction the course pursued by the Chancellor of the Exchequer. He did not wonder at Torquay being disappointed, for its constituency would have consisted of old maids and consumptive patients, and would have changed every year. But Barnsley was entitled to better treatment than to be promised a Member, and then to have him taken away. It was like putting up a junior Cabinet Minister, and then knocking him down.

MR. SERJEANT GASELEE said, he believed that many Members who voted against his Amendment, disfranchising places with less than 5,000 inhabitants, had since repented, for these trumpery boroughs would not then have been left as a blot on the Statute book. As for Honiton, he thought one of the first acts of a reformed Parliament would be to execute justice upon that borough. He regarded Luton as entitled to enfranchisement, though not so much so as Gosport, and he should therefore vote for the clause. He knew nothing about Warwick and Tamworth, but Barnstaple and Tiverton were in Devonshire, which had too many Members, and each returned both a Liberal and a Conservative, so that they were really not represented at all. If one Member was taken away the opinion of the boroughs would be expressed in the House. What effect, however, could the opinion of Tiverton have on the Government of this country? He should support the Motion of the hon. and gallant Member for Bedfordshire, because, as the House would not disfranchise, the natural principle was that requiring seats they should go for them to boroughs represented by two Members. He hoped they would go much higher than was now proposed, and take away one Member from many places which might be with advantage so dealt with.

MR. NEWDEGATE said, he deprecated the partial disfranchisement of Warwick, the county, with its population of between 450,000 and 500,000, not being over-represented. When Lord Palmerston represented Tiverton, he represented the majority of the country, and when Sir Robert Peel represented Tamworth he represented the majority in that House. He could not understand on what principle this Motion was made, unless it was anxiety on the part of the hon. and gallant Member to obtain a borough for the agricultural county of Bedford. More than one Reform Bill had proposed to give a Member to Leamington, and the Boundary Commissioners would doubtless recommend that Leamington should be included in the Parliamentary borough of Warwick. If any borough ought to be spared, it should be one with so large and increasing a population in its neighbourhood. The House had come to a decision which had induced the Government to abandon the four boroughs that they once proposed to enfranchise, and this was only an attempt to resuscitate the claim. Unless the Committee were prepared to go further in the extension of household suffrage than it had already done, it ought to reject this proposal. He should certainly vote against the clause.

SIR ROBERT PEEL: Perhaps the Committee will indulge me with permission to say a few words, as I have had the honour for the last seventeen years to represent one of the boroughs which are affected by the Resolution before the Committee. I very much agree with the hon. Member for North Warwickshire (Mr. Newdegate). For no reason or principle that I can understand is the town of Luton to be one of those which are to be elevated to the rank and dignity of returning a Member to the House in the place of the borough which I represent. I have received numerous communications, like the hon. Member, urging me to support the claims of Luton, but I never read a memorandum or memorial which contained less of force, of which would less induce me, even if my borough were not affected, to give representation to a place like Luton. I venture to say there are not twenty people in this House who ever heard of the town of Luton. I understand it is in the county of Bedford. I have seen straw bonnets which have been made there, but to tell me that Luton is worthy to return a Member to this House is what no one can understand but the hon. and gallant Gentleman opposite (Colonel Gilpin). The hon. and learned Gentleman who spoke below the gangway (Mr. Serjeant Gaselee) found fault with the hon. and learned Member for Tiverton (Mr. Denman) because he said that as long as his own borough was spared he felt no commiseration for any other place that might be sacrificed. That, Sir, is not my feeling. I commiserate every borough that is affected, and they have a right to make their voice heard. The learned Serjeant asks what voice Tiverton has in the councils of this country? I am surprised, considering the illustrious connection of that borough with this House for fifty years, that any hon. Gentleman should have made such an observation as that. I have not troubled the House during the discussions on this Bill, because I have been most anxious to see it passed, if possible, during the present Session. This Bill gives the franchise to about 2,500 persons in the borough of Tamworth—that is to say, it gives votes to what would have been a very considerable constituency under the old *régime*. But I think that something is due and will be paid by this House to a constituency which for 100 years has been illustrious in the annals of Parliament. I recollect that during the long discussions on the Reform Bill of last year, one Gentleman whose borough was to be affected said, with an amount of assurance and limited self-sacrifice which I do not pretend to imitate, that he was prepared to consider the interest of his country at the sacrifice of his Colleague. Now, my hon. Friend and Colleague, who sits near me, represents independently, I am bound to say, the interests of the borough of Tamworth. On many occasions during the present Session my Colleague and I have voted in different lobbies. I speak for myself and my Colleague when I say that there are no two Members in this House who, during the last three or four years in which he has had the honour of a seat here, have endeavoured more conscientiously and honourably to perform their duties, and represent the interests of the country in all the matters that come before us. But that is only doing what every Gentleman in this House may have equally done, I therefore take no credit to ourselves on that account, nor do I allege it as a reason why we should be spared if any curtailment of the representation of Tamworth should be discussed. But what I do find fault with is the underhand and ungenerous manner in which the hon. and gallant Gentleman endeavours to disfranchise such boroughs as Tamworth and Warwick, and that he should seek to take a Member from each of those places in order to give them to Luton and other towns. I do not say one word against the character of Keighley, Barnsley, or St. Helens—I do not even know where Keighley is — but we are enfranchising so many places that the Chancellor of the Exchequer ought to put up a map in the lobby indicating localities that are to be affected by the Bill. These three places—of course I leave out Luton altogether—ought, perhaps, to be represented in this House. But I hope the Committee will pause before they accept the Resolution of the hon. and gallant Gentleman, and will at least consider the claims of boroughs which I and others represent to a continued representation in the House of Commons.

Colonel STUART said, he denied that there had been anything underhand in the clause proposed. Nearly all the additional borough Members were to be conferred upon places in the North. The only two exceptions were in the case of Gravesend and Luton. The latter place was now to be sarcastically remarked upon and to be sacrificed, after a Member had been promised to it, because it happened to be a manufacturing town not situated in the North of England, but in an agricultural county, with which, however, it was in no way connected by similarity of interests or pursuits. Luton was not only a rising place, but it had risen of late years to a very considerable degree. It had trebled itself in twenty-five years, and its rateable value had increased within the last seven or eight years from £45,000 to £55,000. If Members must be taken from boroughs, he maintained that they ought rather to be taken from places that were decaying than from those that were increasing. Now Tiverton was declining. [Mr. DENMAN: No!] Then the Parliamentary Return was not correct. At any rate the remark applied to Warwick. [An hon. MEMBER: No, no!] Barnstaple was in the same position, and it was only Tamworth that had slightly increased in population. The Chancellor of the Exchequer had promised that Luton and Barnsley should be represented; and he trusted that the expectations to which the promise had given rise would not be disappointed.

SIR ROBERT PEEL: I wish to correct one statement of the hon. and gallant Gentleman. He alluded to a decrease of the population of the towns affected by this clause, and said that their population has not increased in the same ratio as that of Luton. Now that is not accurate as regards Tamworth. Its population has increased about 2,000; and if Tiverton or Warwick have decreased slightly within the last few years the Committee must recollect that the inhabitants of Luton are principally composed of women—I do not wish for a moment to cast any slur on the morality of Luton; I am sure the hon. and gallant Colonel knows Luton well—but when we have a population in Luton in which the women exceed the men in numbers, there cannot be any doubt, without inquiring further—and I should move for Returns as regards legitimacy and illegitimacy if this clause passed—there cannot, I say, be any doubt that if that town has increased in the manner which the hon. and gallant Gentleman states, it must have been attributable to causes over which he probably has no control.

COLONEL STUART said, that the number of houses which had been built in Luton for the last twenty-one years showed that the town had not increased its population in the way which the right hon. Baronet supposed. [Sir ROBERT PEEL: They are all built of straw!] It was by the straw trade that the inhabitants gained an honest livelihood. The relative proportion of the sexes was now about equal.

SIR GEORGE GREY: I am sorry that some Member of Her Majesty's Government has not yet risen to state his views on this question. The Motion of the hon. and gallant Member for Bedfordshire, or some Motion of a similar character, appears to me to be the necessary and inevitable consequence of the adoption by the Government the other night of the proposal of the hon. Member for Liverpool (Mr. Horsfall) with respect to the large boroughs. The Government assented to that proposal, and that fact imposed on them the obligation of re-considering, to a certain extent, their plan for the re-distribution of seats. They at first said they must deprive Salford of the additional Member which had been promised to it. Some objection having been made to that course, the Government agreed to Salford obtaining a second seat, and it having been decided that Liverpool, Manchester, Birmingham, and Leeds should also each receive a third Member, the Government suggested that the names of four large new towns which they had proposed to enfranchise—namely, St. Helens, Keighley, Barnsley, and Luton, should be allowed to drop quietly out of the Schedules. What the Committee have now to determine is, whether they will follow that course, and thus disappoint the expectation of the four towns which the Government deemed to be fairly entitled to receive representation, or whether the means of fulfilling those expectations should not be found by carrying the principle of the disfranchisement of the small boroughs further than we have. For my own part, I must say I should much prefer that we should take four of the smallest class of boroughs, and absolutely disfranchise them, which I think would be a fairer mode of proceeding than that proposed by the hon. and gallant Gentleman opposite, who proposes to deprive four boroughs of their second seats. How can the Committee justify the retention of Members for places with only 2,000 or 3,000 residents? It would be better to provide the seats for the four rising towns—whose fair claims to representation the Government themselves have admitted—by entirely disfranchising an equal number of the smallest boroughs, whose continued existence, after this Bill has passed, must offer a vulnerable point of attack to those who may refuse to regard this measure as affecting a permanent settlement of this question. But one of the two plans should be adopted. St. Helens, containing a population of 40,000, Barnsley, and the other two towns contained in the original Schedules, are all places of importance, as seats of industry and as possessing large populations; and if you disappoint the hopes held out to them, not by the Motion of any private Member, but by the proposal of the Government itself, made, as we must suppose, after due consideration of all competing claims, you will be adopting a course which I believe will insure the renewal of agitation.

THE CHANCELLOR OF THE EXCHEQUER: I wish to bring back the Committee to the practical consideration of the circumstances before us. We have had in the course of the evening to consider a question very analogous to the present, and I then ventured to say that we could not settle such questions with any close approximation to arithmetical precision or political symmetry. We have been discussing the question of Parliamentary Reform for many years. In the first Bill brought in there was an anxiety displayed to adapt the representation of the people generally to some arithmetical propriety; to adapt it to what was called by philosophers in the preceding century "the fitness of things." But places unknown then have since risen into importance. What, for instance, was the position of the town of Middlesborough when first this agitation was begun? But it is now a place more rapidly increasing in population and more distinguished by enterprize than almost any community in the United Kingdom. If no margin had been left for rising places we now should feel, with respect to Middlesborough and similar places, great embarrassment. We therefore, at the present day, have practically endeavoured to make as good an arrangement as we could, and did not attempt to set up an idea which it might be almost impossible to accomplish, and which, if accomplished, would fail to realize what we wished to achieve. The Committee have arrived in the course of the discussions on this Bill at three decisions. First of all, not satisfied with the programme which we brought forward, they decided in a full House by a large majority that no borough with a population not exceeding 10,000 should be represented by more than one Member. They then came to the decision that no borough with a population not exceeding 5,000 should be disfranchised. These were, I may say, the spontaneous Resolutions of the Committee, which served as two great starting points to guide us in the conduct of this measure. Again, contrary to the opinion of the Government, the Committee came virtually to a decision that there should be an increased representation of some great towns. That proposal was, it is true, rejected by a small majority; but many hon. Members supported the Government in that instance only because they thought the Motion would, if carried, lead to a great change. Still they entertained the opinion that some concession should be made to the claims of those great towns, and were prepared, to prevent further agitation, to support some moderate measure, as they ultimately did, to effect it. Those, then, were the three Resolutions to which the House of Commons virtually came, and which were to operate as a guide to the Government in the prosecution of their difficult task. An understanding was thus arrived at. And these understandings, instead of being ashamed of, I think we ought to regard as one of the most honourable characteristics of our public life, for without such understandings the public business could never be satisfactorily carried on. These three decisions accordingly were regarded by us as guides to aid us in passing this measure. Now, you ask us to deviate from a course upon which you yourselves voluntarily entered for the purpose of completing this measure. It is not for me to say that those four boroughs originally introduced into our Schedules have not claims to be represented in this House. There is, in fact, no end of such claims. But then you must consider the immense inconvenience which is likely to result and the disturbance which will ensue from abandoning the ground you yourselves have taken up. We are told that we shall have a great agitation if those towns are not represented in this House, the claims of which the Government not only sanctioned, but to which they themselves proposed that the privilege of being represented should be granted. The right hon. Gentleman who has just sat down, who has been a Secretary of State, and who is one of the most experienced Statesmen in the House, tells us that the rejection of the claims of Luton will lead to that result, and we ought, perhaps, to bow to his authority. I do not know whether he was a party to the first Reform Bill, but his political existence had at least its rise in that atmosphere of turbulence. If Luton not being represented will bring about a revolution, we must prepare ourselves for the emergency. But is it, I would ask, a thing novel that it should be proposed in this House, even by a Minister of State, that a place should be enfranchised whose claims to representation were not afterwards sanctioned by Parliament? What about Burnley, which is soon, I hope, to be represented in this House? Burnley was, if I am not mistaken, mentioned in the Bill of 1832, and in every Reform Bill which has since been introduced it has invariably been scheduled. But, although we have since 1832 had some disturbances in this country, and considerable discontent, I never heard that delay of justice to Burnley was the cause of such disaffection. The Chartist movement has never, so far as I am aware, been historically traced to the fact that Burnley, which was promised representation in 1832, and which had a similar promise given to it in five subsequent measures of Reform, is still unrepresented in the House of Commons. I trust, therefore, that the philosophic temperament of the people of Luton will lead them to forbear from meditating any such assault on the Constitution or the tranquillity of the Empire as that with which we are threatened. We are told by the right hon. Gentleman that we are disappointing expectations that have been encouraged in a most authoritative way. I can only state that what we have done was done by our predecessors under similar circumstances. Having a certain number of seats, we have offered to the House that scheme which, on the whole, we believe to be the most advisable to adopt. Generally speaking, our views have not been disregarded; but in one or two instances they have not been adopted, consequently we have modified our Schedules, as our predecessors did. I do not under rate the claims to representation of those four boroughs, which I should have been glad to see enfranchised, as we originally proposed, instead of the course being adopted which the Committee have thought fit to pursue. But it seems to me a grave question whether, having by successive votes laid down certain arrangements as those which ought to be made, the Committee ought now, at the very end of the Session, to turn round and say, "We will disturb everything, instead of adhering to the principles which we have already decided." The adoption of such a course may lead, I would remind the Committee, to endless controversy, and have a very serious bearing on the fate of the measure. We may imagine that things are to be easily settled by making proposals in this House; but we must remember that no Bill of this kind can be passed without being subjected to the operation of many influences. The House of Commons alone cannot decide this Bill. You have laid down principles in accordance with which you say a satisfactory re-distribution of seats can be devised, and, when everybody is reconciled to the arrangement which you have made, are you capriciously at the last moment to turn round and to re-open the whole matter, thus taking a course which may lead to consequences which nobody can foretel? I do not think it worth while that for the purpose of giving representation to Luton and the other three towns, the Committee should deviate from the positions previously occupied, depart from the principles and unsettle the arrangements previously adopted.

MR. GLADSTONE: I think that the Committee must have some difficulty in reconciling the modest proposal of the hon. and gallant Gentleman (Colonel Gilpin) with the inflamed description of it given by the right hon. Gentleman. It has been described as calculated to disturb principles already sanctioned, to lead to consequences not candidly expressed, and to imperil the fate of this great Bill; and all this to be done at the last moment. This description would be of great force and effect if it were fairly applicable to the case before us. But is not much of this really idle and empty sound? Let us look how the case stands, and, bringing the proposals of the right hon. Gentleman into definite shape, let us consider what he has really urged. In the first place, I think the argument about arithmetical propriety and political symmetry has been ridden rather hardly to-night. Whatever has been proposed—whatever claim has been urged—however it has been shown that upon the principles laid down and acted upon by the Government—this claim or that claim ought to have been admitted, we have been answered by the argument that we cannot attain to arithmetical propriety or political symmetry. That may or may not be true, but it is not a good answer to a case which rests upon substantial grounds. The right hon. Gentleman wishes it to be understood that in point of fact he is acting upon principles which the House of Commons has defined for him; that he has had no choice; that he has been merely giving effect to the will of the House, and that in his endeavour to do so he is thus interrupted and impeded. Is that a fair statement of the case? The right hon. Gentleman says we have a certain number of seats to be disposed of, and that we should only consider the best manner of disposing of them. The right hon. Gentleman, in his own exposition of his plan, laid down a principle diametrically opposed to that he has now announced. He distinctly told us that we should first find out what was the amount of the fair and just claims to enfranchisement, and then set about deciding the question of the manner in which the seats ought to be divided. Therefore, so far from endeavouring to force on the right hon. Gentleman a set of proposals, and then to induce him to deviate from them, we only ask him to proceed on the principle he has himself enounced—namely, that the just claims for enfranchisement should be ascertained first, and next the manner of providing the seats. The right hon. Gentleman says that the House of Commons arrived at three great decisions. First, that no town up to a population of 10,000 should return more than one Member; secondly, that no town under a population of 5,000 should be disfranchised; and, thirdly, that four great towns should receive an additional Member each. I demur to the whole of those propositions. In the first place, is it true that the House of Commons, in declaring that they would deprive all towns up to a population of 10,000, bound themselves under all the circumstances never to go beyond that point? In the next place, can it be sustained that when a majority voted that towns under a population of 5,000 should not be disfranchised, that that was a spontaneous action on the part of the House? Was not the whole influence of the Government used to bring about that decision? But, accepting the decision that all towns under a population of 5,000 should not be disfranchised, on what grounds does the right hon. Gentleman assert that none of them are to be disfranchised? Supposing we had arrived at the point indicated by the hon. Member for Warwickshire (Mr. Newdegate)—supposing that we had read this clause a second time—and then we were considering his proposal, that in lieu of taking four towns above 10,000 we should take four of the lowest of the towns below 5,000, would that be in contradiction of the Vote which the House has come to? ["Yes, Yes!"] Then, if it is a contradiction, why did you in contradiction to that Vote as to the six great towns recognize four of them? The right hon. Gentleman having obtained a Vote of the House to the effect that these six great towns should not have an additional Member, spontaneously gave four of them an additional Member. Now when a Motion is made which would require only four towns to lose a Member he says we are abandoning our previous decision, and it is impossible to entertain such a proposal. Now, I venture to submit with great confidence this proposition that, when the House accepted the proposal of giving an additional Member to the four great towns, it was not the meaning of the House that the four seats so obtained should be taken from the towns which the right hon. Gentleman has mentioned. The right hon. Gentleman has referred to Burnley, and asks how is it that it has never been enfranchised, although it was included in so many Bills? It was never enfranchised for the simple reason that no Bill which contained it has received the sanction of the Legislature. That town is not the case of a place in which the Government recognized the claim to representation and then withdrew it, not under pressure from the House of Commons, but in open contradiction to the principle it itself had announced. Let us then put away the rhetoric of the right hon. Gentleman. We do not say that Luton or the other towns mentioned in the Motion before the House will endanger the permanence of the plan of the right hon. Gentleman with respect to re-distribution. I think the right hon. Gentleman is under obligations to those who, like the hon. and gallant Member for Bedfordshire, endeavoured to introduce into the scheme of re-distribution those moderate extensions which some of us think will give it permanence and stability. We ask him, in conformity with what we believe to be the wish of the House of Commons, to fulfil, not our promise, but his, to act not upon our principle, but his own, and we are of opinion that in such a course he will find the greatest likelihood of giving permanence to the measure he has brought in.

Colonel GILPIN said, that as some personal allusions had been made to him, he hoped the House would allow him to say a few words before it proceeded to a division. An hon. Member near him had stated that he was astonished at his bringing forward this Motion because he thought that he (Colonel Gilpin) belonged to his household. He could only say that he had been returned to Parliament as an independent Member, and that as such he had endeavoured to do his duty, and without wishing to give offence to anybody. The hon. Member for Warwick had said that it was bad taste on his part to have placed Luton at the head of the list. He (Colonel Gilpin) thought that was a very silly observation. The right hon. Baronet opposite (Sir Robert Peel) had thought proper to comment somewhat severely on his conduct, and stated that nobody ever heard of Luton but himself. He would remind the right hon. Baronet that he had not brought Luton prominently forward in that House. It was the proposal of the Government to enfranchise Luton, together with other large and important places. He felt he had only done his duty in bringing forward the proposal he had submitted to the House. In reply to the observation that nobody had ever heard of Luton, he would observe that the rateable property of that place had increased 50 per cent within the last five years. The trade of straw plaiting gave employment to upwards of 60,000 persons, and that nearly £2,000,000 were turned over in that business every year. An observation had been made which he regretted should have been uttered in that House. He did not understand the right hon. Baronet (Sir Robert Peel) when he charged him with acting in an under hand manner They were not known to each other; but he was satisfied that those who did know him believed that he would not do an under hand action. He had given Notice of his clause; he did not know what more he could do. He could, therefore, only say that the right hon. Gentleman judged of him by himself. He would not make any comment on what had fallen from the Chancellor of the Exchequer, further than to say that after his vacillating and inconsistent conduct on this Bill he was not at all surprised that he should now ridicule a proposal of his own a few nights ago.

Question put, "That the Clause be read a second time."

The Committee *divided:*—Ayes 195; Noes 224: Majority 29.

House *resumed.*

Committee report Progress: to sit again *To-morrow* at Two of the clock.

COURTS OF LAW OFFICERS (IRELAND) (*re-committed*) BILL—[BILL 145.]

(*Mr. Attorney General for Ireland, Lord Naas.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 35 (Vacancies in Offices of Pleading and Record Assistant and Chief Clerk to be filled by Judges).

MR. VANCE said, he moved in line 28, to leave out "Judges of the Court," and insert "Chief Justice or Chief Baron, as the case may be." His object was, that the Chief Judges of the Court should have the appointment of the superior officers, as was the case in England.

Amendment proposed, in line 28, to leave out the words "Judges of the Court," in order to insert the words "Chief Justice or Chief Baron, as the case may be,"—(*Mr. Vance,*)—instead thereof.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, that the only object he had in view was to secure the appointment of efficient officers, and that could be best done by leaving the matter to all the Judges, every one of whom was as much interested in having proper officers appointed as the Chief Judge.

SIR COLMAN O'LOGHLEN said, he would rather give patronage to the Government than to Judges; but, if it were conferred on the Judges, there should be a practicable system of exercising it.

LORD NAAS said, he considered the proposal of the Bill to be preferable.

MR. CHILDERS said, that the patronage, if left to four, would be exercised without responsibility.

MR. HENLEY said, he concurred in that view.

MR. SYNAN said, he would ask on what principle the patronage was to be exercised if the four Judges differed in opinion?

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 88; Noes 35: Majority 53.

Clause 37 (Officers of abolished Offices to continue Officers of Court to which they shall have been attached, and to receive Salaries if they discharge Duties imposed upon them).

General DUNNE said, he had to move an Amendment that any Officer who had served more than twenty-five years should be able to retire upon a pension amounting to his full salary, instead of having to serve forty years, as provided by the Bill, before he should be entitled to his full pension.

The ATTORNEY GENERAL for IRELAND (Mr. Warren) said, he must oppose the Amendment.

Clause *withdrawn.*

The ATTORNEY GENERAL for IRELAND said he had to move an Amendment that Officers who had served twenty-five years, and whose services were no longer required in the same capacity, should be required to serve in some other suitable position, and that if they refused to do so they should not be allowed to retire on full pay.

Clause *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday*.

GALASHIELS JURISDICTION BILL.

On Motion of Sir Graham Montgomery, Bill to include the whole of the Burgh of Galashiels within the jurisdiction of the Sheriff and Commissary of Selkirkshire, *ordered* to be brought in by Sir Graham Montgomery and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 234.]

TURNPIKE ACTS CONTINUANCE BILL.

On Motion of Mr. Secretary Gathorne Hardy, Bill to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads, *ordered* to be brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 232.]

TURNPIKE TRUSTS ARRANGEMENTS BILL.

On Motion of Mr. Secretary Gathorne Hardy, Bill to confirm certain Provisional Orders made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts, *ordered* to be brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 233.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, July 9, 1867.

MINUTES.]—Public Bills—*Second Reading—* Patriotic Fund (201); Real Estate Charges Act Amendment* (191); Railways (Guards' and Passengers' Communication) (197).

*Referred to Select Committee—*Railways (Guards and Passengers' Communication) (197).

*Committee—*Pier and Harbour Orders Confirmation (No. 2)* (187); Galway Harbour (Composition of Debt) (176); Blackwater Bridge* (178); Local Government Supplemental (No. 4)* (207); Linen and other Manufactures (Ireland)* (186); Public Records* (210); Edinburgh Provisional Order Confirmation* (198).

*Report—*Galway Harbour (Composition of Debt) (176)* Blackwater Bridge* (178); Linen and other Manufactures (Ireland)* (186); Edinburgh Provisional Order Confirmation* (198); War Department Stores* (209).

*Third Reading—*Limerick Harbour (Composition of Debt)* (138); Charitable Donations and Bequests (Ireland)* (177.)

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.—QUESTIONS.

Viscount STRATFORD DE REDCLIFFE: Seeing the noble Earl at the head of the Government in his place, I wish to ask a Question of which I have given him private notice. It relates to the fate of the Emperor Maximilian and the alleged unhappy termination of his career. I wish to ask my noble Friend, Whether he or the Government have received any official account of that Emperor's death; and whether, if such account has been received, it is the intention of the Government to move your Lordships to take any notice of the event, or to propose that the House should offer its condolence to Her Majesty on what must be to Her a subject of much affliction?

There is also another subject to which I wish to direct the noble Earl's attention—I mean the condition of the unfortunate Captives in Abyssinia. If I remember rightly, the noble Earl, in reply to a Question put by me some time since, said that the Government, before giving an answer, wished rather to wait until the result of a communication to the Emperor of which Mr. Flad was the bearer, should be known. I learn from the public papers that Mr. Flad was sent out as far back as the month of September, and that he is supposed to have arrived in Abyssinia. I should like, therefore, to know, Whether the Government have received any further information with respect to the Captives; and, Whether they intend to take any steps in the matter?

THE EARL OF DERBY: I received from my noble Friend within the last half hour an intimation that he wished to ask me two Questions. I should be obliged to him to postpone the one relating to the Captives in Abyssinia, as I have no information to communicate with respect to them. With regard to the first Question—that relating to the fate of the Emperor Maximilian—I have to state that I received within the last two hours a telegram from Paris which, unhappily, leaves it no longer a matter of doubt what the fate of Maximilian has been. This despatch has been received this day from Mr. Fane at Paris, and is dated at half past one. It is as follows:—

> "FROM MR. FANE.
>
> "Paris, July 9.—d., 1 30 p.m.; r., 3 30 p.m.
>
> "Moustier has just received a telegram from French Minister at Mexico, dated 27th June. It reports that the Emperor Maximilian was shot on the 19th, in spite of every effort made to save him; the tone of the victorious party was defiant towards all foreign Powers, including United States; they refused to give up the Emperor's body; the French Minister was preparing to depart with his legation, but although hitherto unmolested, he thought he might be detained as a hostage for the surrender of General Almonte."

My Lords, I must say that I share in the feelings of all your Lordships at this most unnecessary, most cruel, and most barbarous murder—a murder which must excite horror in every civilized country. It is a murder purely gratuitous; and so far from producing any beneficial effect, can only add to the miseries of which that unhappy country has been for so many years the scene—and I fear it is only too probable that it will have to sustain similar miseries for many years to come. I hope my noble Friend will excuse me at the present moment for declining to give any opinion as to whether your Lordships will be invited to express your feelings on the subject by any public act.

VISCOUNT STRATFORD DE REDCLIFFE said, that he had nothing to complain of in the answer of the noble Earl; but his own feelings on the subject were so strong that, using his right as a Member of that House, he begged to state that he would bring forward some Resolution on the subject in case Her Majesty's Government should hereafter decline inviting an expression of opinion from the House with regard to the matter on grounds which might appear insufficient to his judgment.

ORDER—NOTICE OF QUESTIONS.

LORD REDESDALE hoped the noble Viscount would formally give notice when he had other questions to put in that House. The noble Viscount was much in the habit of giving private notice to a Minister of his intention to ask Questions, but that course was attended with this inconvenience, that other noble Lords, who might feel an interest in the matters to which those Questions related, were not prepared to take part in any discussion that might arise, and were not induced even to come down to the House upon those occasions as they might otherwise have done. Such a course was extremely inconvenient both to the Government and the House, and he hoped the noble Viscount would take care for the future that due notice should be given, and that the Notice should appear on the Paper.

VISCOUNT STRATFORD DE REDCLIFFE was, no doubt, greatly obliged to the noble Lord for the lesson which he had given him as to the proper mode of proceeding; but it appeared to him that the noble Lord had overlooked the very obvious difference which existed between giving notice of a Question for the purpose of raising a discussion, and giving notice of one which was put merely with the view of making it the subject of consideration upon some future occasion. It was only for the latter purpose that he had that evening asked for certain explanations from his noble Friend at the head of the Government.

LORD REDESDALE said, with regard to those Questions which the noble Viscount thought so slight and unimportant for want of due notice, one had not been answered at all, and only half of the other had been replied to. He thought that in both of these cases notice should have been given, as there was no urgency with respect to either.

VISCOUNT STRATFORD DE REDCLIFFE wished to be allowed to say that he had given only a private notice on this occasion because it would have been impossible for him to attend on Thursday next, owing to business elsewhere of a very urgent character. He rather apprehended that the noble Earl opposite had received his intimation later than was intended, as he had written that morning.

Lord LYVEDEN said, that the noble Lord the Chairman of Committees was quite justified in taking notice of this matter, as the Committee upstairs had come to the conclusion that it was desirable that due notice of Questions should be given.

PATRIOTIC FUND BILL—(No. 201.)

(*The Earl of Longford.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of LONGFORD moved the second reading of this Bill, the object of which, he said, was to regulate the proceedings of the Royal Commissioners of the Patriotic Fund. Hitherto they had acted entirely under the authority of a Royal Commission; but it was thought advisable that there should be an Act of Parliament applicable to them. Last year, therefore, a short Bill on this subject received the Royal Assent; but it was found insufficient for the purpose. It was now necessary to bring in an amended Bill, repealing the Act of 1866, and providing, among other things, for the appointment of official trustees, in whom the property might be vested, and for an official audit. The re-constitution of a Commission and the appointment of new Commissioners to replace those who had died would be proceeded with when authority was given by this Act. It was intended also to extend somewhat the original intentions of the Commission.

Bill read 2^a, and *committed* to a Committee of the Whole House on *Thursday* next.

GALWAY HARBOUR (COMPOSITION OF DEBT) BILL—(No. 176.)

(*The Earl of Devon.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

The Earl of DEVON moved that their Lordships should go into Committee on this Bill, the general object of which, he said, was to enable the Treasury to compound a debt now amounting to about £20,000 for a sum of £10,000, and also enabling the Commissioners of Works to advance a certain sum for the construction of a graving-dock and the improvement of Galway Harbour. The Bill came recommended not only by the authority of the Treasury; but after having passed the ordeal of a Select Committee of the other House, who had carefully investigated the measure and unanimously approved its provisions.

The Earl of AIRLIE said, the Bill was one of so singular a character that he thought it ought not to be allowed to pass without a close scrutiny of its provisions. He did not object to the proposed composition, for he presumed that the Treasury could not get the money, and the proverb applicable to his own countrymen no doubt was good also in Ireland—that you could not take from a man a nether garment which he did not possess. But he found in the Report of the Irish Board of Works that they said they did not feel called upon to express an opinion upon the construction of a graving-dock; and that statement, coming from an Irish Board upon a proposal to spend English money in Ireland, struck him as a very significant one. Large sums had already been expended in the improvement of the Harbour of Galway, and the present scheme looked like the suggestion of some engineer who expected to have something to do with the carrying on of the new works. The Report of the Select Committee of the other House in favour of the Bill had been referred to, but it had not been laid before their Lordships.

Lord REDESDALE said, he was surprised at some of the recommendations which came from the other House. It seemed to him most extraordinary that, at the time they were compounding a debt, they should be advancing more money to be expended, with the probability that part of the new debt would have to be forgiven at some future time. It was said last evening in support of the Limerick Harbour Bill that it was of immense importance that there should be a graving-dock on the west coast of Ireland. Now, it was proposed that there should be another graving-dock at Galway. These were matters which required careful consideration. Indeed, he did not know why the public money was to be advanced for these works in Ireland without further consideration than appeared to be generally given to the matter. Other places were obliged to find money on their own credit. When a debt due to Government was redeemed, it might fairly be expected that the next money to be expended would come from another source, and not from the source that it had been found so convenient to draw upon.

The Marquess of CLANRICARDE said, he was surprised at the fault found with this Bill, which he understood was last night spoken of as a just Bill. ["No, no!"] The Limerick Harbour was charged with a bridge. In this case, so far from there being such a charge, there was to be very good security for the money advanced; the Grand Jury had agreed to assess a rate upon the county of the town for a considerable portion of the interest, provided it should not be available from the Harbour funds. Another circumstance not mentioned was the high rate of interest upon which the money was originally advanced by the Government. Had it been lent at the present low rate of interest, the amount due to the Government would have been much less than it was. The question involved was not merely one of compounding a debt, but also of giving some chance of recovering the money which had already been spent. With regard to the graving-dock to be constructed at Galway, that was urgently needed; and it was a fact that ships had ceased going to Galway simply because they were placed under the disadvantage of having no graving-dock for repairs there. It was true, it was said last night, it was important to provide a graving-dock at Limerick; but that was no reason why there should be only one graving-dock on the west coast of Ireland.

THE EARL OF AIRLIE, on the question of interest, quoted the Report of the Irish Board of Works, to the effect that there was considerable misconception as to the length of time and the amounts for which the higher rates of interest have been paid.

Bill *considered* in Committee; and *reported* without Amendment; and to be read 3ª on *Thursday* next.

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL—(No. 197.)

(The Lord Stanley of Alderley.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD STANLEY OF ALDERLEY, on moving that the Bill be now read the second time, said, it was beyond question that if the railway companies would provide means of communication between passengers and the guards of trains many disastrous accidents would be prevented. The want of such communication had been universally recognized as an evil; but, whenever it had been proposed that the railways should be required to provide the proper means of communication, the objection invariably raised was that the various companies would not agree to adopt a uniform system. Now, it certainly was extremely difficult to prescribe any particular mode of communication which would be considered efficient by all the railway companies, and, therefore, the present Bill provided that every railway company should adopt such mode of communication as was in their opinion the best. In every case where no machinery of communication had been provided a fine of £5 could be inflicted. Two of our great railway companies—the South Western and the South Eastern—had adopted a means of communication which had proved efficacious; and abroad, all over the Continent, the railways had means of communication between the passengers and guards, which worked very successfully. The only objection to the measure was, that it was unfair to call upon the companies to adopt certain means without specifying the precise means which were to be adopted. He thought, however, that, in regard to this matter, the onus lay upon the railway companies, who ought to be compelled to take some steps, in order to prevent the recurrence of accidents.

Moved, "That the Bill be now read 2ª."—(*The Lord Stanley of Alderley.*)

THE EARL OF CARNARVON entirely agreed with all that the noble Lord had said, and agreed with him that the measure was a very useful and satisfactory one. As the noble Lord had remarked, means of communication between passengers and guards had been provided by two railroads in this country, and by a great many on the Continent. There was, however, a proviso in the Bill that it should not take effect wherever the distance to be traversed by each train without stopping did not exceed fifteen miles. He presumed the meaning of that was, that where the stations were less than fifteen miles apart from one another, there would be no necessity to provide for communication between the passengers and the guards. If that were so, the North London Railroad would not come under the operation of the Bill, although, if he were not mistaken, public opinion had been first directed to this subject by a horrible murder committed on that very line. It seemed to him that the necessity for having a mode of communication was quite as great when the stations were within a mile or half a mile of one another as it was when they were upwards of fifteen miles apart. Unless a satisfactory reason was given for the introduction of this provision, he should move, when they went into Committee that it be expunged.

THE DUKE OF RICHMOND, while agreeing with most of the remarks of the noble Lord who had moved the second reading, suggested that the Bill should be referred to a Select Committee, in order that the parties interested might have an opportunity of showing what difficulties would arise if the Bill were carried in its present state. He had been informed that the means of communication at present in use were not satisfactory. That on the South Western had been tried on the short journeys of the local traffic only, and should not be taken as a guide for the effectiveness of the same communication on long journeys. The 3rd clause required that some communication should be made between each carriage, horse-box, and truck, and the guard and engine-driver, and failing this the proprietors of the railway would be subjected to the severe penalties set forth in the 4th clause. In a journey from Euston Square to Inverness, no less than ten different systems of railway would be passed over, and possibly ten different systems of communication would have to be provided for by that train. To carry out the 3rd clause would be practically impossible, and, therefore, it would be most improper to pass the 4th imposing penalties. He accordingly repeated his recommendation to refer the Bill to a Select Committee in the hope of securing an altogether unobjectionable Act to secure the object so much desired by all.

LORD CAIRNS feared that if the Bill were referred to a Select Committee at that period of the Session, and if that Committee were to take evidence, that legislation on the subject this Session would be impossible. A measure of the kind proposed had been long required; and it would be a subject for regret if it were postponed after having passed the Commons, where it had been subjected to the scrutiny of many interested in studying the interests of railway companies. It was certain that nothing had contributed more to railway accidents than the absence of communication required by the Bill. The fact that the measure insisted on no particular means of communication, but left it to the railway companies to choose the best suited for the purpose, was, in his opinion, a merit. The Bill simply laid down the principle, and imposed penalties for non-observance; that was the fullest extent to which legislation should go. Railway companies were well represented in the other House, and that House having passed the Bill, he hoped their Lordships would also agree to it.

LORD DENMAN thought the Bill would prove very useful, and hoped it would pass.

LORD STANLEY OF ALDERLEY said, that the third reading of the Bill in the House of Commons was carried by 43 against 5. He objected to sending it to a Select Committee, as it was not a question of detail, but of principle; and if sent before a Committee, all the railway officials in the kingdom would be prepared to give evidence against it and obstruct its passage. To refer the Bill to a Select Committee would be simply incurring expense and trouble for no good purpose.

THE DUKE OF BUCKINGHAM believed the principle of the Bill was a right one, but contended that it contained matters of detail which could be better settled by a Committee than in the House. The expenditure of two or three days in Committee might produce a satisfactory measure, and he was sure that result would be better than the hasty enactment of an imperfect one. No railway company, he was sure, would feel it to be its interest to oppose the principle of the Bill; but information could be given by railway officials touching the existence of stock not owned by companies, but rented by them, and which under the Bill would have to be filled up by the companies at their cost, with the means of communication. The principle of the Bill was to throw on railway companies the duty and the expense of providing sufficient means of communication between passengers and guards and guards and drivers; and he could not believe that companies would oppose such a Bill provided that it contained provisions which would enable them to carry it out. The company which had to work the train would be compelled by the Bill to provide means of communication; but there was no provision to compel private owners of rolling stock to adapt their carriages to the improvements which the company might find it necessary to make.

LORD STANLEY OF ALDERLEY was willing to refer the Bill to a Select Committee on the condition that no evidence would be called. He could understand that Amendments might be better arranged in Committee.

The Duke of BUCKINGHAM said, he did not mean that no evidence whatever should be called; he admitted that if all who asked were examined the Committee might sit for the next seven years; but he wished that the Committee should sit and take only such evidence as its Members thought necessary to elucidate the points he and the noble Duke beside him had mentioned.

The Duke of RICHMOND thought it desirable that the Bill should be referred to a Select Committee, in order that it might be made as useful a measure as their Lordships desired it to be—a result which could only be attained by hearing evidence as to the success of the experiments to which the noble Lord had alluded, and as to the possibility of carrying out the system in every case.

Lord STANLEY of ALDERLEY said, he had no objection to the Bill being referred to a Select Committee upon the understanding that such a course was only to be adopted for the purpose of putting the Bill into a better shape, and that the different plans invented were not to be discussed or evidence taken; because if either of the latter courses were to be pursued the delay would be endless. The Bill as it at present stood allowed the railway companies to adopt whatever plan they pleased.

Motion *agreed to.*

Bill read 2^a accordingly: Then it was *moved* that the Bill be referred to a Select Committee; objected to; and, on Question, *Resolved* in the *Affirmative*, and Bill *referred* to a Select Committee accordingly.

And, on July 11, the Lords following were named of the Committee:—

D. Richmond	E. Kimberley
D. Sutherland	V. Sydney
E. Carnarvon	L. Stanley of Alderley

And, on July 12, The Lord Steward, E. Lucan and Lord Ponsonby *added.*

House adjourned at a quarter past Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 9, 1867.

MINUTES.]—Supply—*considered in Committee,* —*Resolutions* [July 1] *reported.*

Public Bills—*Resolution in Committee*—Carriers Act Amendment.

Ordered—Customs Revenue *; Inland Revenue *; Carriers Act Amendment *; District Lunatic Asylums Officers (Ireland) *; Local Government Supplemental (No. 6).*

First Reading—Customs Revenue * [238]; Inland Revenue * [239]; District Prothonotaries, Court of Common Pleas, County Palatine of Lancaster * [241]; District Lunatic Asylums Officers (Ireland) [242]; Carriers Act Amendment * [243]; Local Government Supplemental (No. 6) * [244].

Special Report of Select Committee—Factory Acts Extension [430].

Committee—Representation of the People [79] [R.P.]; Dogs Regulation (Ireland) Act (1865) Amendment * [184] [R.P]; Banns of Matrimony * [141]; Master and Servant * (*re-comm.*) [204].

Report—Factory Acts Extension * [62 & 236]; Representation of the People [79 & 237]; Banns of Matrimony * [141]; Master and Servant * (*re-comm.*) [240].

The House met at Two of the clock.

THE BIRMINGHAM RIOTS.

QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, with reference to the recent riots at Birmingham, Whether he believes or has reason to know that the pamphlet to which his attention has been called by the Mayor of Birmingham contains correct translations from the works of Liguori, Deus, and other Roman Catholic authorities, as supplied to the Royal College of Maynooth and other Roman Catholic schools; and, assuming the same to be correct translation, whether it is his opinion that the public should be kept in ignorance of the doctrine and practice of auricular confession as the same are set forth and taught in such books?

Mr. GATHORNE HARDY said, the Secretary of State for the Home Department had a great many disagreeable duties to perform, and if he had to verify the translations contained in the most offensive book ever put into his hands, he should certainly, for his part, decline the office altogether. He did not see that his opinion on the Question raised by the hon. Member would be of much value, and he must therefore, with great respect, decline to offer any.

CASE OF FULFORD AND WELLSTEAD. QUESTION.

Mr. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether Fulford and Wellstead have been released from their bail; and, if so, whether they ought not to have been thereof informed by the magistrates who convicted them?

Mr. GATHORNE HARDY said, he was very much surprised the other night to hear from the hon. Gentleman that the bail had not been discharged, which he found was not the case. A free pardon had been granted to Wellstead, who was immediately discharged without bail. With respect to Fulford, a letter was, at the same time, addressed to the Treasury, that they should discharge him from his recognizances and free his bail, which was the ordinary course.

REPRESENTATION OF THE PEOPLE BILL.—QUESTION.

Mr. WHALLEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in his opinion, the prospect of passing the Bill for amending the Representation would not be greatly increased if the provisions relating to the Re-distribution of Seats were deferred to the next Session, whereby also the further advantage would be secured of the discussion of such provisions after the settlement of boundaries?

The CHANCELLOR of the EXCHEQUER: In answer to the Question of the hon. Gentleman, I would say that I have no wish to increase the prospect of passing the Bill for the Representation of the People this Session. I am perfectly satisfied with that prospect.

METROPOLIS—THE LONDON UNIVERSITY.—QUESTION.

Mr. LOCKE asked the First Commissioner of Works, Whether the revised elevation for the façade of the London University, to be erected in Burlington Gardens, now exhibited in the Library, will be adopted?

Lord JOHN MANNERS said, that the elevation had been for some time in the library. Some alterations had been made in the details in accordance with the views of the hon. Member for Bath (Mr. Tite.) He had not heard, either in public or private, any hostile criticism of the design, and he presumed he might consider that it met with the approbation of the Building Committee. He should therefore instruct Mr. Pennethorne to carry it into effect.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

COMMITTEE. [PROGRESS JULY 8.]

Bill *considered* in Committee.

(In the Committee.)

Mr. LOCKE moved the following clause:—

"Where any poor rate due from any occupier in respect of any premises within a Borough on the 5th day of January in any year shall remain unpaid on the 1st day of June following, the overseers whose duty it may be to collect such rate shall, on or before the 20th of such month of June, give a notice thereof in the form set forth in Schedule (X) to this Act to every such occupier as would on payment of such rate be entitled to vote in the election of a Member or Members of Parliament for the Borough in respect of his occupation of the said premises; the notice shall be deemed to be duly given if delivered to the occupier or left at his last or usual place of abode, or with some person on the premises in respect of which the rate is payable, or the notice may be sent by the post, free of postage, or the sum chargeable as postage for the same being first paid, directed to the occupier at his place of abode as described in the rate-book; any overseer who shall wilfully withhold such notice with intent to keep such occupier off the list or register of voters for the said Borough shall, on conviction thereof before two Justices of the Peace, forfeit for every offence a penalty of twenty pounds."

The hon. and learned Member said, it would be in the recollection of the Committee that there was considerable discussion upon a clause introduced by the Attorney General, at the instance of the hon. and learned Member for Tiverton (Mr. Denman), and that that clause was, after long debate, ultimately negatived, as it appeared not to give that satisfaction to the Committee which they had a right to expect. That clause was, in his opinion, in many respects exceedingly defective. It did not distinctly state what rates were to be the subject of demand. It left that question open; and, consequently, any rate made subsequently to the 5th of January—which was the date up to which rates now had to be paid in order to entitle any person to be placed upon the register—might or might not be claimed by the overseer. That was a very great omission. Probably it would be said that the 3rd clause of the Bill explained it; but, as to that, there was a great difference of opinion, and therefore it was not a clause which the Committee could adopt. Another very serious objection to it was that the overseer, by not giving notice to pay the rates, would, by that misconduct, place persons upon the register, while those to whom he had given notice, and who had not paid, would be disfranchised. He had been induced by his hon. and learned Friend the Member for Tiverton to frame this clause, and there it was for the consideration of the Committee. He thought there could be no objection to it. In the first place, it distinctly designated the date up to which the rates must be paid—namely, up to the 5th of January, and, if those rates should not have been paid previously to the 1st of June following, then the persons should not be entitled to be on the register. He would next refer to the notice of demand, and it was as follows:—

> "To A.B., City (or Borough of) . We hereby give you notice that you will not be entitled to have your name inserted in the list of voters for this City (or Borough) now about to be made, in respect of your occupation of premises up to 5th January last, unless you pay, on or before the 20th day of July, all the poor rates which have become due from you in respect of such premises up to the 5th day of January last, amounting to £ , and, if you omit to make such payment, you will be incapable of being on the next register of voters for this City (or Borough)."

That notice was clear and well defined; for it stated that, unless persons paid the rates, they would not be placed on the register. He could not conceive that any objection whatever could be made to that notice. He then came to the mode in which that notice should be given; and, as to that, there had been considerable difference of opinion. He thought he had embodied in the clause every ordinary mode of giving notice; and therefore he had left the overseer to take his choice. The noble Lord the Member for Mayo had suggested that a fine should be imposed on the overseer for every act of neglect in giving notice to the ratepayers; but it was thought it would be extremely hard that a fine should be inflicted on that officer in every instance for a mere mistake or inadvertence. He now, therefore, proposed that any overseer who should wilfully withhold such notice with intent to keep any ratepayer off the list of voters should, on conviction before two Justices of the Peace, forfeit a penalty of £20. That would give a check upon the overseer; and the clause, he thought, would, in every respect, answer its purpose. If this clause were adopted, it would be necessary to strike out certain words referring to a demand in the 3rd clause upon the Report.

MR. GOLDNEY said, the necessity for any clause of that kind had entirely arisen from the insertion of the words proposed in the 3rd clause by the hon. and learned Member for Tiverton (Mr. Denman). Under an Act of 6 *Vict.*, all overseers were required to give public notice on the church or chapel doors of the making of the rates, and that in default of due payment of their rates persons would be unable to vote; and in all the local newspapers announcements appeared that people must pay their rates by the prescribed time or their names would not be included in the register of electors. It was a question, therefore, whether, in addition to that public notice, they should impose the further duty on the overseer of giving, at the end of six months, specific notice to every ratepayer who was in arrear? That was a matter which could be better dealt with on the Report than at the present moment; but if the words "which have been demanded of him in the manner hereinafter mentioned" were struck out of the 3rd clause he believed the general public notice to which he alluded would be quite sufficient. It was very questionable indeed whether a special notification to every ratepayer in arrear should be required from the overseer, because in the large parishes it would entail an enormous amount of trouble. The penalty proposed by the hon. and learned Member for Southwark (Mr. Locke) was so large for any failure on the part of a clerk or an errand boy in delivering the notice that it would be impossible to enforce it.

MR. DENMAN called the attention of the Committee to a letter which he had received from a gentleman in Bath, a former constituent of the hon. and learned Member for Sheffield, in order to show how the present system of merely giving a notice on the church doors that a certain rate had been made of so much in the pound worked. The writer stated that the overseers, wishing to disfranchise a part of the community, used to "figure the rates," as he expressed it in the case of their own political friends, so that they might get a knowledge of the rates having been made, and also of the specific sums due from each of them, while in the case of their political opponents they omitted to give them notice of the amount due, until it was too late for them to pay in time to be placed upon the register.

The result of the course pursued was that many persons who would have voted for the present hon. and learned Member for Sheffield were disfranchised. Under all the circumstances of the case the Government were, in his opinion, as much bound as ever to apply their minds to the task of endeavouring to remedy a state of things which was calculated to give rise to great mischief; but if they should not feel called upon to do so he was perfectly ready to support the clause which was proposed by his hon. and learned Friend the Member for Southwark.

MR. BARROW contended that the elector would have no difficulty in going to the overseer and ascertaining from him after the 5th of January whether any rate had been levied which he was called upon to pay. He would add that if the franchise was of any value to him it was his business to make the inquiry.

MR. W. E. FORSTER said, the necessity for some clause such as this was shown by something that had occurred in Bradford. In 1863, a rate was levied in October, and no steps were taken by the overseers to collect it until the following May. The result of that state of things would have been that 2,000 electors under the present qualification would have been precluded from voting for non-payment of rates, for the simple reason that there was not sufficient time between May and July for their collection. As it was 300 or 400 voters were disqualified, and the sole reason the number was not greater was that the electioneering committees on both sides took steps to induce their friends to go at once and pay their rates to the collector without waiting to be called upon. They might be sure that when they made payment of rates a condition of the franchise it would be absolutely necessary to take precautions respecting notice and payment. If they did not they would only cut out more work for the election agents, who would take care that the rates of their friends were paid. If they made the vote dependent upon the action of the overseer, they would have not only the evil of the overseer interfering with elections, but they would have politics interfering in the election of overseers. It was necessary therefore, as they had made the payment of rates the condition of voting, that they should take some steps to secure that the rate was demanded; and he thought that the suggestion of the hon. Member for Oldham (Mr. Hibbert) to make the penalty fall upon the parish rather than upon the overseer was in some respects better than that of the hon. and learned Member for Southwark. He had a strong suspicion that if a future Parliament should adhere to the principle of the payment of rates as a condition of the franchise, it would be necessary to appoint special persons to carry it out in place of the overseers, but the House would not listen to such a proposition until it was manifest that the best use had been made of the present machinery.

MR. GATHORNE HARDY said, that as far as he understood the Amendment of the hon. and learned Member for Southwark, a man's vote was to be made dependent on the payment of rates, and not on what might be done or left undone by overseers. The hon. Member for Bradford (Mr. W. E. Forster) held that the clause proposed by the Attorney General would have left too much power in the hands of the overseers. For his own part he (Mr. G. Hardy) thought a notice specially made known throughout the borough would be a better plan. It would save expense, and would obviate difficulty; and if the notice appended to the doors of churches and chapels were not enough, advertisements might be inserted in the local newspapers —and nearly every small borough had now a newspaper—for three weeks at least previous to every 20th day of July, so that hardly any one could say, with justice, that he had not received notice to pay his rates. He proposed that, in addition to the notice now given by the overseer, the town clerk should make this publication. With respect to the clause proposed by the hon. and learned Member for Southwark, he thought that it went too far, because where everything had been done in order to collect the rate, and even supposing a person had been summoned for non-payment, it would still be necessary to give the notice; and he agreed with the hon. and learned Member for Sheffield that they ought not to take extra pains to bring upon the register persons from whom there was great difficulty in collecting rates. If then they were to adopt the principle of the clause, it would be necessary so to amend it as to remove the necessity for giving the notice to those who had had a demand made upon them previously, who had been summoned before a magistrate for non-payment of rates, or who had been excused payment of rates on account of poverty. He thought also that the penalty was too heavy for it ever to be enforced, and he should propose that, instead of being fined £20, the overseer neglecting to make the demand should be deemed guilty of a breach of duty under the Registration Act, which would subject him to a penalty not exceeding £5, and not less than 20*s.* This would be a fine levied by the revising barrister, a man perfectly disinterested, and who at present had the power of dealing with overseers under the Act of the 6th *Vict.*

MR. GLADSTONE said, the ultimate result of the discussion in which they had been engaged with reference to personal rating would probably be something which would deprive the subject now before the Committee of a good deal of its importance. What he understood was intended by the Government as the principle of the Bill was not that the rate should actually be paid by the ratepayer, but that the rate should be actually paid, and that the ratepayer should be personally liable. The ultimate result of all this must be that the House must consider, if not now, yet at a very early period, what facilities and encouragement Parliament could give compatibly with the fair liability of the ratepayer and with the actual receipt of the rate from the owner for the enjoyment of the franchise by the occupier. The payment of rate by the owner was accompanied by such convenience and advantage to all parties, and there would be such an anomaly in constantly levying from weekly occupiers three or six months in advance the sum due, that he was convinced that they would have to consider that point without much delay. However, with respect to the question immediately before the Committee, he assumed that they were all of opinion that, as the House had thought fit to confer household suffrage in boroughs, the boon should be given in perfect good faith, and that no man should be placed at a disadvantage in respect to the payment of rates on account of his poverty. The importance of this question was enhanced since the discussion on the 3rd clause by the enormous change made in the Bill by the acceptance of the Amendment of the hon. Member for Newark, which converted half a million of persons who had never paid rates into ratepayers. His hon. Friend near him (Mr. W. E. Forster) said, with perfect truth, that none of them paid their rates till they were demanded. If his own franchise in any particular borough depended upon his hunting up the overseer and inquiring how much he had to pay in order that he might go back and get the money, or write a check for the amount, he was afraid he should undergo the unfortunate destiny of being disfranchised. It was most important that they should seriously consider how they could best give fair play to parties with regard to the payment of rates. The spirit of the speech of the right hon. Gentleman (Mr. Gathorne Hardy) left nothing to be complained of, for he had accepted the principle that fair play ought to be given to all classes with respect to the payment of their rates, and he (Mr. Gladstone, agreed that it was not desirable to impose unnecessary labour upon public officers, and above all to subject overseers, who were unpaid officers, to penalties so heavy that they would never be levied. On the other hand, however, he did not think that a general notice would suffice, because it would not tell men what they had got to pay. There was a great deal of force in the objection of the right hon. Gentleman to the particular form of the clause, and perhaps the better course would be to adopt the suggestion of the hon. Member for Oldham, that if the rate was not demanded by a certain time it should not be recoverable at law. There should be some efficient mode of making a man aware that he was liable for a certain sum, and that having been done, if he neglected to pay let him be disfranchised.

MR. HENLEY said, the more this question was argued the greater its difficulties appeared. The hon. Member for Bradford had brought forward the most exceptional case that could be found in the kingdom, where a rate was made in 1863, and though it must, if it had any application to this matter, have been made before the 5th of January, so flourishing was the community in which it was made that it was not thought about being collected till the following May. Besides, at the end of March the parochial officer went out of office, when the accounts were obliged to go through the ordeal of the auditor; and if the overseer did not give a satisfactory reason why the rates were not collected what did the auditor do? The auditor charged him with the amount. And with respect to those who were too poor to pay, the only mode in which the overseer could escape being charged with the amount, was to produce the magistrate's certificate that those parties had been discharged from liability to pay. Surely, there was here security enough, almost a certainty, that within three months, between the 5th of January and the following April, the rates would be demanded. With regard to the observations of the previous speaker, he reminded the right hon. Gentleman that the compounding of rates was quite a modern device, so that the great majority of the people who had been living under that system should not be quite in that happy state of ignorance as to the payment of rates which had been described. He rather thought this clause calculated to delude people. The humbler classes were not always informed, and the only way to enable them to pay on demand was to take the rates in the regular course when they had received legal notice. Those who had not plenty of money were always anxious to put off the evil day of payment, and when the time came that they must pay they were generally unable to do so. It would be far better to leave such persons to the ordinary operations of the Court. He did not agree with the right hon. Gentleman that the bulk of these people did not know what they had to pay, as the amount of the rates due was always demanded before the end of March.

Sir LAWRENCE PALK said, that the very poorer classes were scarcely, if ever, called upon to pay rates, and he thought it of vast importance that the next class above them should receive notice that if they did not pay their rates by a particular day they would lose their vote. He thought, however, that the penalty imposed upon the overseers for neglect of their duty was excessive.

Mr. AYRTON said, the hon. and learned Member for Southwark and the hon. and learned Member for Tiverton had consulted him as to this clause. The number of persons upon whom the notice would have to be served would be comparatively small, seeing that they must be five months in arrear before it would have to be served. The question was whether sufficient notice would be given to such persons by the notice being affixed to the church doors, or whether they ought to receive personal notice. The hon. and learned Member proposed to correct the error which existed in Clause 3, which put the power of giving or withholding the right of voting in the hands of the overseer, by striking out the words giving the overseer such power; and in order to protect the ratepayer he proposed that he should receive a special notice, so that he might not be deprived of his vote by the neglect of the overseer. The right hon. Gentleman the Secretary of State for the Home Department thought it would be sufficient if the notices were published in a newspaper; but it was very unlikely that persons living in houses under £10 a year would look through the advertisement columns of a newspaper for a notice of that kind. He thought that the Government, in order to carry out the effect of their own agreement, should assent to the notice being served upon the ratepayer personally.

The CHANCELLOR of the EXCHEQUER: I think it would be better, in the first place, to read the Clause of the hon. and learned Member for Southwark a second time, and then to consider, and I hope agree to, the Amendment of the Secretary of State for the Home Department.

Clause read the second time.

Then Clause amended by omitting the words "shall on conviction thereof before two Justices of the Peace forfeit for any offence a penalty of £20," and inserting in lieu thereof the words "shall be deemed guilty of a breach of duty in the execution of the Registration Acts."

Further Amendments made.

Clause, as amended, *agreed to,* and added to the Bill.

Then the Notices in reference to Cheltenham, Over Darwen, Knaresborough, Marylebone, were severally withdrawn.

Mr. COWPER proposed a clause to the effect that the borough of Hertford should comprise the towns of Ware and Hoddesden. The right hon. Gentleman said that though this proposal only applied to one locality, it was founded on considerations of general policy, and met with the approbation of both parties in the district. Ware was within half a mile of Hertford; its history dated back to the time of the Saxons, and it was known in modern times as the greatest seat of the malting trade in the kingdom. On the other hand, Hoddesden was within three miles of Hertford, and was a place of great enterprize and commercial activity. Although one third of the population of the county was urban there was only one Parliamentary borough within it, and he believed that great public good would arise from joining these two towns to Hertford.

Mr. DIMSDALE, in seconding the proposition, said the circumstances of Hertford were very peculiar, and it presented special grounds for the consideration of the Government. The largest of the towns in the county contained a population of 7,625. The town of Hertford contained only a population of 6,873, Ware 5,137, and Hoddesden 2,500, making a total of about 15,000. This was a proposal which could not interfere with the scheme of the Government. The population of the county was 173,000, and to be represented by four Members. He hoped that the clause proposed by his right hon. Colleague would receive the patient consideration of the Government.

The CHANCELLOR of the EXCHEQUER thought these discussions only showed that the Committee were not sufficiently aware of the powers of the Boundary Commissioners, who would be enabled to deal with cases like the present one. He did not suppose they would recommend that Hoddesden, which he believed was five miles from Hertford, should be comprised within that borough; but Ware was very near to Hertford, and there was a population rising up between those two places. If, therefore, the enlargement of the boundaries of the Borough of Hertford was deemed desirable, the Boundary Commisoioners would probably recommend the House to adopt it.

Clause *withdrawn.*

Captain HAYTER, who had a Notice of an Amendment on the Paper for uniting the towns of Shepton Mallet and Glastonbury with Wells, said that what had just fallen from the Chancellor of the Exchequer was perfectly satisfactory to him, and he desired to withdraw his Amendment; the point raised by which was one that he should wish the Boundary Commissioners to consider.

Sir GEORGE GREY asked whether they were to understand that the Boundary Commissioners not only might recommend the extention of the limits of boroughs, but might go further, and recommend the grouping of unrepresented towns, perhaps ten miles distant, with Parliamentary boroughs.

The CHANCELLOR of the EXCHEQUER had no intention in what he had stated to express his opinion to the Committee that the powers of the Commissioners would extend to grouping. If the case just brought forward involved grouping, he would give no opinion upon it; but he had thought it referred to a very different state of affairs, His impression, however, certainly was that the Boundary Commissioners would not have power to group.

Sir EDWARD DERING moved that the county of Kent should be divided into three divisions, and each division return two Members to Parliament. The proposal of the Government was not to divide the whole county equally, but only to divide West Kent into West Kent and Mid Kent, thereby totally ignoring any claims East Kent might have to additional representation. He was quite aware that the population of West Kent exceeded that of East Kent by 110,000, but when Gravesend with Milton and Northfleet were taken out there would still be an excess in West Kent of about 80,000 inhabitants, and it was to that small excess that it was proposed by the Schedules of the Bill that two additional Members should be given. Now, what he asked for was not any additional representation beyond that which the Schedules conferred for the county, but that the Boundary Commissioners should have power to act in its case as with South Devonshire, South Lancashire, and South Staffordshire, and that their discretion should not be fettered.

Mr. BERESFORD HOPE, as a resident of the eastern division of the county of Kent, and without inquiring into the political bearing of the question, considered the proposal of the hon. Baronet a very fair one, and one that the Chancellor of the Exchequer might very fairly concede.

The CHANCELLOR of the EXCHEQUER said, the county of East Kent had a population exceeding 160,000, and that it was originally proposed by the Government that it should be divided. Ultimately, when the Schedules had to be modified, in consequence of the decision at which the Committee had arrived on the Motion of the hon. Member for Wick, it was determined that Kent should return six Members, as at first intended; but it was not deemed desirable to interfere with East Kent, inasmuch as the population of the county, as a whole, was pretty fairly divided, and it was thought important that the boundaries of the county should not be unnecessarily disturbed. The county of West Kent was divided, there being in one division 150,000 inhabitants, in Mid Kent 130,000, while the number in East Kent was 160,000. That seemed to be a very just division, involving no disturbance of the population of East Kent, and he should have imagined that any one representing it would have been desirous that the boundaries should not be unsettled. He hoped the hon. Baronet would not consider it necessary or desirable to press the Amendment.

Clause *withdrawn.*

Mr. CORRANCE: It is under a sense of some discouragement that I venture to bring before the House the clause which stands in my name, not only from the announcement of the right hon. Gentleman the Chancellor of the Exchequer, that the Government would resist all such claims, but from a conviction that at this time the temper of the House is not such as to afford a chance of fair consideration to a proposal such as this. By this time it is not surprising that this House should have learned to regard with not unreasonable impatience the Motions thus made, and should have ceased to discriminate between the real claims and those put forward for effect. The one I now make is no such, but rests on substantial grounds, as I hope to convince this House. Since I first placed this Motion upon the list some great changes have taken place in these Schedules, and I will not deny that among these changes there are some which weaken the claim I am desirous to make. By Her Majesty's Government it has been determined—I cannot doubt upon sufficient ground — to confer additional Members upon the large towns; that determination I will not dispute, nor have I any desire to do so, so long as the principle shall be fairly and justly applied and honestly carried out. But while thus far I concur with Her Majesty's Ministers, allow me to say this—that there are among the details of this measure some to which I must dissent. To these let me call the attention of this House. In this instance it is necessary to show not only the claims and the grounds upon which they are made, but also to proceed by comparison with some other places upon this list. Now, this is, perhaps, the most invidious portion of our task, and one which, in this instance, I am most reluctantly obliged to undertake. I must nevertheless direct attention to the county of Durham and the new boroughs I find scheduled upon this list. They are no less than three in number, by no means otherwise of considerable importance or wealth. Hartlepool, Darlington, and Stockton, each under 20,000 inhabitants. Now, proceeding by comparison, what I find is this—

	Population.
County of Durham (South) ..	170,412
„ Suffolk (East) ..	184,780
Hartlepool	12,245
Darlington	15,781
Stockton	13,359
Lowestoft	16,261

—One word upon this latter head. Hon. Gentlemen may be deceived about this, for referring to the Parliamentary Returns they will find the numbers set at 10,663. This, however, refers to the borough alone, with limits long since past; and between this town and its extra municipal parts there is now no more division than that of the parishes between here and Temple Bar. In fact no division exists, and the numbers I have given I believe to be correct. And as regards population we have had some interesting statistics as to increase. Let me call attention to one fact, that is—in this town of Lowestoft the increase has been far exceeding even that of the town of Luton during the last ten years, amounting to 63 per cent; Stockton, Darlington, and Hartlepool standing respectively at 33, 41, and 29 per cent. So much for comparison; and what is the position of this town in other respects? The number of vessels sailing from this port to foreign lands is 300 or thereabout; while of foreign ships about 1,000 annually put into the port. Nor is the trade unimportant. In fish alone about 250,000 tons are annually caught, the value of which is set at about £1,000,000 sterling. Now I think these are substantial considerations even if we take them apart; but my case rests upon broader grounds than this. When a special interest like this is concerned, we must consider it as one of a collective class, and as embracing all other local interests of a similar nature to itself. The Member representing one such interest must be considered, at least locally, to represent all similar interests of a given class. Now, in this division of the country there are seven ports unrepresented, embracing a total population of 31,000 souls —who enjoy, in respect of their special occupation, no direct representation in this House. Now of our population are these any unimportant part? These are no straw plaiters, but men the very pith and marrow of your strength. Why are these denied representation in this House? Is our trade of less importance, and our commerce and shipping less? In this instance I have shown that this is not the case. By the disfranchisement of Yarmouth you have made in our local representation a great gap. I ask you on no insufficient grounds to fill it up. In pursuance of my duty I have brought to your notice certain facts, these facts it will be for others to disprove. Should they fail in doing so, or to show reasons to justify the course it is now proposed to adopt, then I must hold that this Motion I have brought forward is worthy of the serious consideration of Her Majesty's Ministers, and the more careful attention of this House.

MR. HENNIKER-MAJOR said, as the Committee were anxious to proceed with the Schedules of the Bill, and now that there was no longer any chance of further disfranchisement, he did not feel justified in going at length into the subject of the Amendment which stood in his name on the Paper; but he must ask the Committee to grant him a very few minutes' indulgence while he stated very briefly, without going into minute details and statistics, the grounds on which he brought it forward. In the first instance he claimed more representation for the county of Suffolk, as one of the largest counties not included in the Schedules, on the ground that the counties of England and Wales were very inadequately represented in comparison to the boroughs; although a great concession, it might no doubt be said, had been made in giving twenty-five more Members to counties by this Bill, yet he thought it was not asking more than in all fairness could be demanded in claiming still further representation for the counties; for on examination of the statistics it would be found that, with every addition and deduction made for the action of the Bill now before them, the boroughs with a gross estimated rental of £41,068,325, will be represented by 308 Members of Parliament, and in the ratio of one Member to every 29,437 of the population, while counties with a gross estimated rental of £69,010,393 will only be represented by 187 Members, and in the ratio of one Member to every 58,821 of the population. Despite what might be said as to certain boroughs representing indirectly the county interests through their representatives in Parliament, he could not but think that county Members could best represent county interests, and that by an addition to their number the representation of counties in the House of Commons would be more permanently secured. Under these circumstances he thought Suffolk, as one of the largest counties in point of population not included in the Bill, and proportionately, in point of wealth, he believed the largest, had a very strong claim for more representation. In the next place he would take the three Eastern counties, Essex, Norfolk, and Suffolk; their interest were almost if not entirely identical; and he found that in point of population and wealth they were, taken together, much under-represented in comparison to the average representation of counties throughout England and Wales, added to which seven Members had been taken away from the boroughs in these counties; two from Yarmouth, two from Sudbury, one from Thetford, one from Harwich, and one from Maldon; only four Members had been given in return, although a very large population had been thrown upon them by the disfranchisement of Yarmouth. He thought, taking these points into consideration, the county of Suffolk, as the only one of the three counties not included in the Bill, ought to have more representatives given to it. In the last place he would take the case of Suffolk as a county by itself; its individual claim for further representation as an agricultural county, and one in which a very large maritime interest existed. Its sea-board was a very large one, and now that Yarmouth was disfranchised this important and increasing maritime population was for a very great distance along the coast entirely unrepresented by any borough; he for this reason had, in making as equal a division of the county in point of population as possible in his Amendment to the Schedule, divided the county so as to give an adequate proportion of representation to this interest. On going into the statistics he found that Suffolk, with a population of 277,939, taking in the population of Gorleston, returned only four Members to Parliament—or in the ratio of one Member to every 69,484 of the population, while counties throughout England and Wales were represented on the average in the ratio of one Member to 58,821 of population. He also found that in point of wealth Suffolk was in proportion much under represented. It must be remembered that four Members had been virtually taken away from Suffolk, two from Sudbury, one from Yarmouth, and one from Thetford, and that none had been given in return. He thought he had proved without going into many figures that Suffolk had a strong claim for more representation on the ground of its being one of the largest counties not included in the Bill, and that counties in general were inadequately represented ; on the ground that it was one of the three Eastern counties, and that they had not their fair share of representation ; and lastly, that it had a strong claim of itself, being much under-represented according to the average representation of counties throughout England and Wales. He thanked the Committee for listening to him so long, and would move his Amendment in its place in the Schedule D.

THE CHANCELLOR OF THE EXCHEQUER moved New Schedule (A) in lieu of Schedule (A) in the Bill.

BOROUGHS TO RETURN ONE MEMBER ONLY IN FUTURE PARLIAMENTS.

Honiton
Thetford
Wells
Evesham
Marlborough
Harwich
Richmond
Lymington
Chippenham
Bridport
Stamford
Chipping Wycombe
Poole
Knaresborough
Andover
Leominster
Tewkesbury
Ludlow
Ripon
Huntingdon
Maldon
Buckingham
Newport (Isle of Wight)
New Malton
Tavistock
Lewes
Cirencester
Bodmin
Great Marlow
Devizes
Hertford
Dorchester
Lichfield
Cockermouth
Bridgnorth
Guildford
Chichester
Windsor

Schedule read the first and second time.

COLONEL DYOTT moved an Amendment to leave out Lichfield. He wished to show the extreme inconsistency and injustice of partially disfranchising the city of Lichfield and leaving Tamworth untouched. The very close proximity of the two small boroughs rendered this inconsistency more apparent and this injustice more felt. Lichfield itself contained a larger population than Tamworth itself ; but the parish of Tamworth contained a larger population than that comprised within the Parliamentary boundaries of the city of Lichfield. But if Lichfield were dealt with in the same way as Tamworth the population of Lichfield would be at least as large as, he believed larger than, the population of Tamworth ; and he protested against the invidious distinction which had been drawn between Tamworth and Lichfield. He believed that he would not have done justice to the town of Lichfield, with which his ancestors had been connected for the last three centuries, if he had not made this statement. But after the decision the Committee had come to last night he had little hope that justice would be done to Lichfield ; he should not, therefore, further press the Motion of which he had given notice.

Amendment *withdrawn.*

THE CHAIRMAN : Are there any other Amendments ?

MR. WYLD, who had given notice of his intention to move the omission from this Schedule of the town of Bodmin, would not trouble the Committee by making any formal Motion, having no doubt, after the decision the House had come to, that he should be unsuccessful. He thought it the more unfortunate that one Member should be taken from Bodmin, because the town might be said generally to represent the interests of the county of Cornwall.

MR. DARBY GRIFFITH said, that, considering that the Election Committee of the Session of 1866 reported that there was reason to believe that "corrupt practices have extensively prevailed at the last election for the Borough of Bridgwater," which would in the course which had been invariably pursued since the passing of the Act 15 & 16 *Vict.* c. 57, have resulted in the issue of a Commission had not the Chairman of the Committee declined to move for the same, it would be desirable that Bridgwater should return only one Member in future Parliaments.

Schedule A *agreed to,* and *added* to the Bill.

THE CHANCELLOR OF THE EXCHEQUER moved New Schedule (B), in lieu of Schedule (B) in the Bill.

[*For New Schedule* (B) see *next page.*]

MR. AYRTON said, he had given notice of an Amendment to omit "Durham, Darlington," &c., and substitute "Surrey, Wandsworth, Clapham, Tooting, Streatham, St. Mary Battersea, Putney, and so much of the parish of Lambeth as is not included in the borough of Lambeth," but if it was the desire of the House to dispose of the Schedules that night, he would postpone proceeding with it until the Report was brought up. He begged to withdraw his Amendment.

Amendment *withdrawn.*

[*New Schedule* B.]

NEW BOROUGHS TO RETURN ONE MEMBER EACH.

County.	Places to be Boroughs.	Temporary Contents or Boundaries.
Durham	Darlington	Townships of Darlington, Haughton-le-Skerne, Cockerton
	Hartlepool	Municipal Borough of Hartlepool—Townships of Throston, Stranton, Seaton Carew
	Stockton	Municipal Borough of Stockton, and the Township of Thornaby
Kent	Gravesend	Parishes of Gravesend, Milton Northfleet
Lancashire	Burnley	Townships of Burnley, Habergham Eaves
Lancashire and Cheshire	Staleybridge	Municipal Borough of Staleybridge, remaining Portion of Township of Dukinfield, Township of Stalley, the District of the Local Board of Health of Mossley
Staffordshire	Wednesbury	Parishes of Wednesbury, West Bromwich, Tipton
Yorkshire, North Riding	Middlesborough	Township of Linthorpe, and so much of the Townships of Middlesborough, Ormesby, and Eston, as lie to the North of the Road leading from Eston towards Yarm
Do. West Riding	Dewsbury	The Townships of Dewsbury, Batley, Soothill

MR. PEASE remarked that West Hartlepool, being rather a larger place than Hartlepool, did not like being included in the smaller borough; and he was therefore directed to move that the name "Hartlepool" be struck out, and the name "The Hartlepools" substituted.

THE CHANCELLOR OF THE EXCHEQUER: I have been in correspondence more or less since 1859 with the intended borough of Hartlepool, and this sentiment on the part of its inhabitants has never been expressed to me before. I do not think that we should accede to the Motion of the hon. Member without further inquiry, because he may have been misled by some morbid feeling expressed by those who have been in communication with him on this subject. I think it would be better if he were to postpone his Amendment, and when we report Progress he can telegraph to Hartlepool upon the subject for further information.

Amendment, by leave, *withdrawn.*

MR. CORRANCE moved after "Seaton Carew" to leave out "Stockton," and insert under county of Suffolk "township of Lowestoft, with parishes of Kirtley, Pakefield, and Wessingland."

Amendment *negatived.*

MR. CHEETHAM moved that the Parliamentary boundary of the borough of Staleybridge be confined to the municipal borough, and that the words "remaining portion of the township of Dukinfield, township of Staley, the district of the local board of health of Mossley," be omitted.

MR. W. EGERTON said, that this question was one that could be settled more easily by the Boundary Commissioners than in Committee. He thanked the Government for having entertained the claims of Staleybridge.

THE CHANCELLOR OF THE EXCHEQUER said, the population of Staleybridge by the last Census was 24,900, and it had since probably increased. The places proposed to be included within the Parliamentary borough were immediately contiguous; but this was clearly a case for the Boundary Commissioners. They were instructed to consider the situation, or other local circumstances, and if the proposed arrangement was not the natural one, they would recommend an alteration.

Amendment *negatived.*

MR. MILBANK proposed that the description of the temporary contents or boundaries of the proposed borough of Middlesborough should be omitted, and the words "the municipal borough of Middlesborough" inserted instead. The borough of Middlesborough now contained 32,000 inhabitants, and 6,000 houses rated at £5 and upwards; and he could not understand on what principle it was proposed to include within its boundaries an electoral district six miles in length and three in width. The only result would be to take away a vast number of county votes. The proposal was one that had been unanimously condemned by the inhabitants of Middlesborough; and though he was unwilling now to press his Motion on the Committee, he trusted that the Boundary Commissioners would give it their best attention.

Mr. GLADSTONE did not wish to interpose any obstacle to the withdrawal of the Amendment; but he thought the distinction should be clearly drawn between the boroughs now existing and the new ones. In the case of the old ones the Boundary Commissioners would have a clear starting point, and nothing could be added to them or detracted from them without some reason were shown. He wanted to know whether a similar authority attached to the new boroughs with their temporary boundaries. The understanding, he thought, was that no authority should attach to the temporary boundaries. He understood that it was the intention of Parliament to consider and define the proper boundaries of the places named in the Schedule quite irrespective of the temporary boundaries, and it was very desirable that no misunderstanding should exist on that point.

The CHANCELLOR of the EXCHEQUER said, that the language of the clause respecting the Boundary Commissioners appeared to him to be quite satisfactory—namely, that they should inquire into the temporary boundaries of the boroughs created under the Act, with the power to suggest such alterations therein as they might deem expedient. With regard to what had been said by the hon. Member (Mr. Milbank), who seemed to suggest that the boundaries of Middlesborough had been drawn with a sinister design of affecting the county constituency, he could only observe that Middlesborough was first introduced to Parliamentary consideration in the Bill of last year, and he believed that the boundaries proposed in the present Schedule were the same as those proposed in that Bill.

Sir LAWRENCE PALK inquired, whether the Boundary Commissioners would have the same powers in regard to the new divisions of counties as they had in respect of the boundaries of the newly-created boroughs?

Mr. SAMUDA asked, whether the Boundary Commissioners would have the power of omitting altogether a district included in the provisional boundaries, or whether they would only be enabled to enlarge or contract those boundaries.

The CHANCELLOR of the EXCHEQUER said, that the Commissioners would have no power to diminish any existing boundaries, but they might enlarge them if they thought fit. The new boundaries they would be able to diminish, or to suggest, in fact, any alterations in them that they might deem proper. In reference to the question of the hon. Baronet (Sir Lawrence Palk), the language of the clause showed that they would be empowered to inquire into the divisions of the counties, to select the places wherein to hold courts, and to consider what alterations should be made therein; and he thought this quite sufficient.

Mr. W. E. FORSTER observed, that some time ago he had asked the Chancellor of the Exchequer a question on the subject, and he then understood that the Government assented to the view that the provisional arrangements of the new boroughs and the new divisions of counties were to be considered as mere blank paper.

Mr. BOUVERIE thought the presumption was that the Commissioners would adopt the arrangements of the Schedules, and would require cause to be shown for any deviation from them. He was of opinion therefore that in the case of places already having a separate municipal existence the fairer plan would be to adopt the municipal boundaries in the first instance. The start should be made with them, and then they could be modified, if advisable.

Mr. MILBANK said, 1,000 acres of the area proposed for Middlesborough were at present under cultivation, so that the town must considerably increase before it extended so far.

Amendment, by leave, *withdrawn.*

Mr. H. BEAUMONT desired to move that Rotherham be inserted in the amended Schedule. It had a population of 33,000, and was in the midst of a large and important mineral and manufacturing district.

Mr. HADFIELD supported the claim of Rotherham to have a representative. Considering that Sheffield was not to have a third Member, they might at least give Rotherham a representative, as it was in such near proximity to Sheffield, and was a most important town.

Motion *withdrawn.*

Mr. H. BEAUMONT moved that Doncaster be added to amended Schedule B.

MR. FOLJAMBE seconded the Motion.

Motion *withdrawn.*

MR. HOLDEN moved that Keighley be placed in Schedule B.

Motion *negatived.*

Schedule B *agreed to* and *added* to the Bill.

THE CHANCELLOR OF THE EXCHEQUER moved new Schedule (C) in lieu of Schedule (C) in the Bill.

NEW BOROUGHS FORMED BY DIVISION OF THE BOROUGH OF THE TOWER HAMLETS.

Name of Borough.	Places comprised in the Borough.
Borough of Tower Hamlets	The Parish of St. George in the East The Hamlet of Mile End Old Town The Poplar Union The Stepney Union The Whitechapel Union The Tower of London
Borough of Hackney	The Parish of St. John, Hackney The Parish of St. Matthew, Bethnal Green The Parish of St. Leonard, Shoreditch

Schedule *agreed to* and *added* to the Bill.

THE CHANCELLOR OF THE EXCHEQUER then moved new Schedule (D) in lieu of Schedule (D) in the Bill.

CHESHIRE.—Division : North Cheshire.—Parts comprised in such Division : The Hundred of Macclesfield.—Place for holding Courts for Election of Members : Macclesfield.

Division, Mid Cheshire.—Parts comprised in such Division : The Hundreds of Bucklow, and Northwich.—Place for holding Courts for Election of Members : Knutsford.

Division : South Cheshire.—Parts comprised in such Division : The Hundreds of Broxton, Eddisbury, Nantwich, and Wirrall ; and also the City and County of the City of Chester.—Place for holding Courts for Election of Members : Chester.

DERBYSHIRE.—Division : North Derbyshire.—Parts comprised in such Division : The Hundred of High Peak, and the Wapentake of Worksworth.—Place for holding Courts for Election of Members : Bakewell.

Division : South Derbyshire.—Parts comprised in such Division : The Hundreds of Repton and Gresley Morleston and Litchurch, and Appletree.—Place for holding Courts for Election of Members : Derby.

Division : East Derbyshire.—Parts comprised in such Division : The Hundred of Scarsdale.—Place for holding Courts for Election of Members : Chesterfield.

DEVONSHIRE.—Division : North Devonshire.—Parts comprised in such Division : The Hundreds of Bampton, Braunton, Crediton, Frenington, Halberton, Hartland, Hayridge, Henyock, North Tawton, Shebbear, Sherwill, South Molton, Tiverton, Winkleigh, Witheridge, and West Budleigh.—Place for holding Courts for Election of Members : South Molton.

Division : East Devonshire.—Parts comprised in such Division : the Hundreds of Axminster, Cliston, Colyton, East Budleigh, Exminster, Ottery St. Mary, Haytor, Teignbridge, and also the Castle of Exeter and the Hundred of Wonforde except such parts of the Hundred as are included in the limits of the City and County of Exeter by the 2nd and 3rd Will. IV. cap. 64.—Place for holding Courts for Election of Members : Castle of Exeter.

Division : South Devonshire.—Parts comprised in such Division : The Hundreds of Black Torrington, Coleridge, Ermington, Lifton, Plympton, Roborough, Stanborough, and Tavistock.—Place for holding Courts for Election of Members : Plymouth.

ESSEX.—Division : North West Essex.—Parts comprised in such Division : The Hundreds of Freshwell, Uttlesford, Clavering, Dunmow, Harlow, Waltham, Ongar, and Chelmsford.—Place for holding Courts for Election of Members : Chelmsford.

Division : North East Essex.—Parts comprised in such Division : The Hundreds of Hinckford, Lexden, Tendring, Winstree, Witham, Thurstable, and Dengie.—Place for holding Courts for Election of Members : Braintree.

Division : South Essex.—Parts comprised in such Division : The Hundreds of Becontree, Chafford, Barstable, and Rochford, with the Liberty of Havering.—Place for holding Courts for Election of Members : Brentwood.

WEST KENT. — Division : West Kent.—Parts comprised in such Division : The Lathe of Sutton at Hone.— Place for holding Courts for Election of Members : Blackheath.

Division : Mid Kent.—Parts comprised in such Division : Remainder of the Division.—Place for holding Courts for Election of Members : Maidstone.

NORTH LANCASHIRE.—Division : North Lancashire.—Parts comprised in such Division : The Hundreds of Lonsdale, Amounderness, and Leyland.—Place for holding Courts for Election of Members : Lancaster.

Division : North East Lancashire.—Parts comprised in such Division : The Hundred of Blackburn.—Place for holding Courts for Election of Members : Blackburn.

South Lancashire. — Division : South East Lancashire.—Parts comprised in such Division : The Hundred of Salford. — Place for holding Courts for Election of Members : Manchester.

Division : South West Lancashire.— Parts comprised in such Division: The Hundred of West Derby.—Place for holding Courts for Election of Members : Liverpool.

Lincoln. — Division : North Lincolnshire.— Parts comprised in such Division : The Wapentakes, Hundreds, or Sokes of Manley, Yarborough, Bradley Haverstoe, Ludborough, Walshcroft, Aslacoe, Corringham, Louth Eske, and Calceworth, so much as lies within Louth Eske.—Place for holding Courts for Election of Members : Glanford Brigg.

Division : Mid Lincolnshire.—Parts comprised in such Division : The Wapentakes, Hundreds, or Sokes of Well, Lawress, Wraggoe, Gartree, Candleshoe, Calceworth, except so much as lies within the Hundred of Louth Eske, Hill, Bolingbroke, Horncastle, Boothby Graffoe, and Langoe and Lincoln Liberty.—Place for holding Courts for Election of Members : Lincoln.

Division : South Lincolnshire.—Parts comprised in such Division : The Wapentakes, Hundreds, or Sokes of Loveden, Flaxwell, Aswardhurn, Winnibriggs and Threo, Aveland, Beltisloe, Ness, Grantham Soke, Skirbeck, Kirton and Holland Elloe.— Place for holding Courts for Election of Members : Sleaford.

Norfolk. — Division : West Norfolk.—Parts comprised in such Division : The Hundreds of Wayland, Launditch, South Greenhoe, Gallow, Brothercross, Smithdon, Freebridge Lynn, Freebridge Marshland, Clacklose and Grimshoe.— Place for holding Courts for Election of Members : Swaffham.

Division : North East Norfolk.— Parts comprised in such Division : The Hundreds of East Flegg, West Flegg, Happing Tunstead, Erpingham (North), Erpingham (South), Eynsford, Holt and North Greenhoe.—Place for holding Courts for Election of Members : Aylsham.

Division : South East Norfolk.—Parts comprised in such Division : The Hundreds of Walsham, Blofield, Henstead, Humbleyard, Loddon, Clavering, Diss, Deepwade, Earsham, Guiltcross, Shropham, Taverham, Forehoe and Mitford.— Place for holding Courts for Election of Members : Norwich.

Somersetshire.—Division : North Somerset.— Parts comprised in such Division : The existing Sessional Divisions of Long Ashton, Keynsham, Weston, Axbridge, and Temple Cloud, as established by virtue of the Order of Her Majesty's Justices of the Peace for the County of Somerset, and also all such other places in the said County as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.—Place for holding Courts for Election of Members : Bath.

Division : South West Somerset. — Parts comprised in such Division : The existing Sessional Divisions of Dunster, Dulverton, Williton, Wiveliscombe, Bishop's Lydeard, Wellington, Taunton, Bridgwater and Illminster, as established by virtue of the Order of Her Majesty's Justices of the Peace for the said County of Somerset, and also all such other places as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.—Place for holding Courts for Election of Members : Taunton.

Division : South East Somerset.—Parts comprised in such Division : The existing Sessional Divisions of Crewkerne, Yeovil, Somerton, Shepton Mallet, Wincanton, Wells, Frome and Kilmersdon, as established by virtue of the Order of Her Majesty's Justices of the Peace for the said County of Somerset, and also all such other places in the said County as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.—Place for holding Courts for Election of Members : Wells.

Staffordshire.—Division : North Staffordshire. —Parts comprised in such Division : The Hundreds of Totmonslow and Pirehill North.—Place for holding Courts for Election of Members : Stoke-upon-Trent.

Division : West Staffordshire.—Parts comprised in such Division : The Hundreds of Pirehill South, Cuttlestone, and Seisdon.—Place for holding Courts for Election of Members : Stafford.

Division : East Staffordshire.—Parts comprised in such Division : The Hundreds of Offlow (North), Offlow (South). — Place for holding Courts for Election of Members : Lichfield.

East Surrey.—Division : East Surrey.—Parts comprised in such Division : The Hundred of Tandridge, and so much of the Hundred of Wallington as includes and lies to the east of the Parishes of Croydon and Sanderstead and so much of the Hundred of Brixton as includes and lies to the east of the Parishes of Streatham, Clapham, and Lambeth. — Place for holding Courts for Election of Members : Croydon.

Division : Mid Surrey.—Parts comprised in such Division : The remainder of the present Division.—Place for holding Courts for Election of Members : Kingston-upon-Thames.

Yorkshire, West Riding.—Division : Northern Division.—Parts comprised in such Division : The Hundreds of Ewecross, and Staincliffe, Claro, Skyrack, Barkstone Ash, and Osgoldcross.— Place for holding Courts for Election of Members : Leeds.

Division : Mid Division.—Parts comprised in such Division : The Hundred of Morley.—Place for holding Courts for Election of Members : Bradford.

Division : Southern Division.— Parts comprised in such Division : The Hundreds of Agbrigg, Strafforth and Tickhill, and Staincross.— Place for holding Courts for Election of Members : Wakefield.

Sir ROUNDELL PALMER, remarking upon the absence of anything in the Schedule descriptive of the temporary character of the division of the counties, moved the addition of the word "temporary" before the words "parts comprised in such division," in the heading of the third column, and the words "temporarily appointed places for holding courts for election of Members," in the heading of the fourth column.

Amendments *agreed to.*

MR. NEVILLE-GRENVILLE asked if there was any objection to designate the divisions of Somersetshire as East Somerset, Mid-Somerset, and West Somerset, instead of Somersetshire North, South-West, and South-East?

THE CHANCELLOR OF THE EXCHEQUER said, he had no objection.

Amendments *agreed to.*

SIR EDWARD M. BULLER moved Amendments in the proposed divisions of Staffordshire (Schedule D), with a view to divide the county into North, Middle, and South Staffordshire, and to effect certain consequential re-distribution of districts. He should be content if the Boundary Commission were empowered to deal with that matter.

MR. BASS said, that as far as he was aware, the hon. Baronet was the only advocate of the division of Staffordshire in the manner he had suggested, and that the proposal of the Government was far better and more satisfactory.

COLONEL DYOTT also thought it was impossible to divide the county in a more appropriate manner than was done in the Schedule of the Government.

THE CHANCELLOR OF THE EXCHEQUER hoped the Amendment would not be pressed.

After a few words from Mr. W. O. FOSTER,

SIR EDWARD BULLER withdrew his Amendment, on receiving an assurance from the Chancellor of the Exchequer that the words of the Act were intended to authorize the Boundary Commission to consider the question.

MR. HENNIKER-MAJOR moved an Amendment in the Schedule, with a view to divide the county of Suffolk into the three divisions of North-East Suffolk, East Suffolk, and West Suffolk, with a consequential re-distribution of districts.

After a few words from Mr. NEWDEGATE,

Amendment *negatived.*

Schedule, as amended, *agreed to,* and *ordered* to be *added* to the Bill.

Schedule E (Form of Claim for Lodgers) *agreed to,* and Schedule X (Notice to Occupants in respect of Poor Rates) amended, and *agreed to;* and *added* to the Bill.

On Question, "That the Preamble be agreed to,"

SIR RAINALD KNIGHTLEY said, he wished to make a suggestion with regard to the printing of the Bill. It was usual at this stage to re-print every Bill; and on a measure of this importance he wished to suggest that there should at the same time be printed the Bill as it was originally introduced, so as to show the various omissions, erasures, additions, and alterations that had taken place;—that they might see how much of the Bill was the original proposition of the Government, and how much had been added by the House. ["Oh, oh!"] Such an edition of the Bill would be a very curious historical and literary document; and though he did not know that he could make a Motion to that effect, he would suggest that the Chancellor of the Exchequer should put himself in communication with the highest authority in the House to ascertain whether it could be done or not.

MR. HENRY SEYMOUR thought that great injustice had been done to his borough (Poole), and he hoped that the Boundary Commissioners might be empowered to inquire into its present population before it was disfranchised.

MR. CANDLISH asked whether the Bill would be printed and delivered into the hands of Members to-morrow morning?

MR. GATHORNE HARDY: I understand that if hon. Members should not have it to-morrow morning, they will be able to procure it in the course of the day at the Vote Office.

MR. MORRISON asked when it was proposed to take the Report?

THE CHANCELLOR OF THE EXCHEQUER: On Thursday.

MR. GLADSTONE had no objection that the Report should be taken as soon as possible. It must, at the same time, be borne in mind that the Bill involved a great many local questions which could not be duly considered without communication with the country, and, as the Bill could not be sent down into the country until to-morrow evening, it would be difficult to receive the information which might in some instances be requisite if the Report were taken on Thursday.

THE CHANCELLOR OF THE EXCHEQUER: I do not know what the "local questions" to which the right hon. Gentleman refers can be; but a great deal may be said upon the Report. We might sit on Friday morning; and, from what I hear, there will be no difficulty in sending off the Bill by post to-morrow afternoon.

Sir ROUNDELL PALMER: The chief difficulty will be in giving notice of the Amendments which may be proposed.

Mr. AYRTON: That would be removed if the Bill were ready the first thing to-morrow.

Viscount CRANBORNE: We should understand either that the Bill shall be delivered to-morrow morning, or that the Report shall not be taken until Friday morning. The Amendments on Report are not discussed unless all the Notices are given on the Paper. If the Bill be not in the hands of Members until the afternoon to-morrow, or Thursday morning, it will be impossible to give the necessary Notices for Thursday evening. I cannot see why the saving of one day should be considered of so much consequence in a measure of such importance.

Preamble *agreed to.*

House *resumed.*

Bill *reported.*

On Motion "That the Bill, as amended, be *considered* on Friday next,"

The CHANCELLOR of the EXCHEQUER: I desire, as far as possible, to defer to the wish of the House, and, at the same time, to do full justice to the matter we are upon. I think, after all that has been stated. and having given it the best consideration, the best course will be that the House should meet on Friday next at two o'clock to receive the Report, with the understanding that, if necessary, we should continue our labours that evening. I should hope that that would lead to a satisfactory result.

Mr. GLADSTONE: I presume that the meaning of the right hon. Gentleman is that hon. Members should not move Amendments on going into Committee of Supply. That however cannot be done without altering the Standing Orders.

The CHANCELLOR of the EXCHEQUER: We will take the Report on Friday at two o'clock.

Mr. HENRY SEYMOUR said, there were many matters on the Paper for Friday at nine o'clock, and it would be desirable to ascertain whether hon. Members would give way.

Viscount CRANBORNE: It is natural that the right hon. Gentleman should be anxious to get the Bill to the House of Lords in time, and perhaps he looks forward to reading the Bill a third time on Monday. If the right hon. Gentleman finds it necessary, he may move to suspend the Standing Orders. This is a thing which occurs only once in a generation, and therefore we should not be in a hurry to get rid of it.

Motion *agreed to.*

Bill, as amended, to be *considered* upon Friday, at Two of the Clock, and to be *printed.* [Bill 237.]

TAXATION (IRELAND).—RESOLUTION.

Mr. M'KENNA rose to call the attention of the House to the great and disproportionate increase of Irish taxation since 1841, as compared with the increase of the taxation in Great Britain during the same period, and to certain impediments to the material prosperity of Ireland which deserve the attention of Parliament; and to move a Resolution on the subject. The hon. Gentleman said—I will endeavour to treat this subject without the least admixture of party spirit, and certainly without the least recourse to exaggeration. I will endeavour to make plain the case of Ireland, and to submit that case to the House in such form that it may be judged according to the rules of true political economy. I say true political economy, because there are several economic maxims current which, when enunciated, sound to unpractised ears like the rules of political economy, but which are nevertheless simply the propositions of a narrow and spurious philosophy. There are some subjects in connection with Ireland on which one can scarcely touch before it is sought to stifle discussion by the mere phrase of "Interference with Free Trade." There are other topics on which discussion is sought to be precluded by such an utterly untenable dogma as this, "That the State is bound never to interfere with the progress and development of private enterprize." I make these few preliminary remarks, because I desire at starting to be understood by the House to have complete faith in political economy as a science, and in Free Trade as a development of political economy, but I deny that the true principles of political economy have been applied to Ireland, or that the advantages of Free Trade can exist for her until the Legislature has taken some steps to make up to Ireland for her backward condition, which few will deny is largely if not wholly due to centuries of mis-legislation. I do not accuse the present generation of politicians and statesmen of intentional injustice to Ireland. I do not endorse—on the contrary, I repudiate—the charges of tyranny which have been so freely made against England for her treatment of Ireland; but I state this to the House in, I hope, a good and loyal spirit—that the financial policy pursued towards Ireland within the last fourteen years has been seriously oppressive. I will now ask the attention of the House to two Returns obtained this Session on my Motion, setting forth respectively the taxation and population of Great Britain and Ireland for the Census years of 1841, 1851, and 1861, and the proportion of taxes raised in these years respectively for each head of the population. These Returns contain nothing absolutely new, but they nevertheless exhibit results which are nearly incredible. I do not need to demonstrate to the House what statesmen on both sides, with equal candour, admit—that the legislation for Ireland in past centuries has been unjust and is indefensible. I do not need to recapitulate the various Acts of Parliament which had been passed since the accession of William III. to crush Irish commerce and manufacture. I freely admit not only that these laws have been repealed, but that the spirit of adverse legislation has been succeeded and is replaced by positive good intentions on the part of England towards Ireland; but I refer to the unfortunate past of Ireland to account for the fact which is evident from these Returns—that in 1841 Ireland contributed only the sum of £4,158,000 to the Imperial Exchequer, as against £47,800,000, the quota of Great Britain; and whilst the pressure of taxes fell at the rate of £2 11*s.* per head per annum on the population of Great Britain, the total contribution of Ireland was at the rate of 10*s.* 1*d.* per head per annum. I will now pass from the Returns of 1841 to those of 1851. How far do these latter Returns show any improvement? We all remember that between 1841 and 1851 the memorable and disastrous famine fell upon Ireland—that between 1841 and 1851 the Corn Laws were repealed, and the great principles of Free Trade were irresistibly established in this Empire. Let me refer to these Returns in my hand and examine how the revenue and population of 1851 in Great Britain contrasted with the revenue and population of Ireland, and how both contrasted with the Returns of 1841. Between 1841 and 1851 the revenue of Great Britain increased from £47,800,000 to £51,800,000, an increase of £4,000,000, whilst the revenue of Ireland simply advanced from £4,158,000 in 1841 to £4,324,000 in 1851, an increase of £166,000; nevertheless the increased taxation of Great Britain, when compared with population, showed a decrease of 1*s.* 9*d.* for each head of the population; whilst the taxation of Ireland, almost stationary in total amount, showed, when compared with population, an increase of 3*s.* 2*d.* for each head. Do I complain of this? Is this the grievance to which I draw the attention of the House? By no means. That which all admit was partly due to a visitation of Providence, I will assume was wholly due to that visitation. I refer to the period between 1841 and 1851, with no desire to charge the results of the famine years on the Government or Legislature of the period, but I desire to bring back the consideration of the House to the ordeal through which Ireland passed. I wish to compare Ireland, populous and by comparison prosperous before the famine, with Ireland thrice decimated after it. On the 12th March, 1845—the year before the famine, in reply to Sir William Clay, who said he could not permit the imposition of the income tax on Great Britain without requiring to know why it was not extended to Ireland—the late Sir Robert Peel answered that he wished the hon. Gentleman would say what tax it would be desirable to extend to Ireland; and at any rate he declined to apply the income tax. That Sir Robert Peel was right in his view of the case of Ireland is abundantly proved by the fact that although he declined to apply any new tax to Ireland, the relative pressure of taxation on Ireland increased 3*s.* 2*d.* per head, whilst, notwithstanding new imposts, the taxation of Great Britain fell 1*s.* 9*d.* a head between 1841 and 1851. I should perhaps here observe that, in addition, on emerging from the famine Ireland found herself burdened with a new charge, being for the repayment of the advances made by the State for the relief of the Irish poor, and for extraordinary public works undertaken to give employment to the people. This charge amounted to about £250,000 per annum. I have nothing to say against this charge. There may be many arguments adduced to show that *ab initio* it was not the form in which re-payment for the relief expenditure should have been sought; but I refer to its existence because the remission of it in 1853 was made the excuse and the plea for the gravest injustice that was ever inflicted in this House against Ireland—an injustice which is at the root of all the subsequent discontent and disaffection—an injustice to which not all the genius of Liberal statesmen, nor all the platitudes of that spurious political economy to which I have referred, can reconcile any thoughtful Irishman. In 1853 the right hon. Gentleman the Member for South Lancashire introduced his famous Budget, extending to Ireland, or proposing to extend to Ireland, certain taxes not previously imposed upon her by the Imperial Parliament. I do not charge the right hon. Gentleman with intentional injustice towards Ireland; it may have appeared to his mind at the time that the shilling relief he gave with one hand would more than compensate Ireland for the pound of taxes he extracted with the other. But time clears all things up, and now, after the lapse of fourteen years, we see by the light of Returns which cannot deceive us, and by the light of experience which must undeceive the stanchest supporters of the policy of 1853, what the financial results have been for Ireland. The period between 1851 and 1861 was one of vast political importance to Great Britain. Between these years the Russian war had been waged and peace again established. War for political influence had involved the British Minister in the necessity of imposing new taxes or of increasing old, but this necessity arose subsequently to the famous Budget of 1853; so that the pressure of war expenditure was no feature of the unusual policy of that year. Now, let us turn to the Returns of 1861, and let us compare the revenue and population of Great Britain and Ireland with those of 1851. Accidentally the figures for Great Britain are easily remembered—the taxation of Great Britain in 1851 was £51,000,000; in 1861, it had risen to £61,000,000. And this time the taxation had risen in a more rapid ratio than population, and so the taxation per head advanced from £2 9*s.* 9*d.* to £2 13*s.*, an increase of 3*s.* 3*d.* for each head of the population. Let us now examine the Irish Return. The taxation had increased from £4,324,865 in 1851, to £6,792,606 in 1861; and, spread over the reduced population in Ireland, this shows an increase of 10*s.* 2*d.* a head for Ireland, as compared to an increase of 3*s.* 3*d.* a head for Great Britain; and comparing back with 1841, the last Census prior to the famine, the Return shows an increase of 13*s.* 4*d.* a head for Ireland, as compared with an increase of 1*s.* 6*d.* a head for Great Britain, within the same period of twenty years. And now I will ask the House whether there is any necessity to analyze this further? Is there any fallacy latent in these Returns? I am not now trying to make out that this or that tax is more or less just, more or less oppressive than another. I am not objecting to any particular item of taxation. I am adducing what appears to me perfectly unanswerable evidence that since 1851 the total amount of taxation raised in Ireland has been unduly and disproportionately increased. There is only one answer possible to these Returns when adduced as evidence of unjust taxation of Ireland, and that answer would be an untrue one. I will, however, admit, if it could be truly stated, that since 1841, or since 1851, Ireland has progressed in trade, commerce, in manufacture, in agriculture, in some or all of these in a ratio far greater than that of the progress of Great Britain, so that the wealth of Ireland in 1861 was greater than that of Ireland in 1841, so as to have increased in a ratio about three times as great as the ratio of increase of Great Britain. I say, if this counter proposition could be sustained, it would be a valid answer, but the case is so coercive as to admit of no other. But, then, people will ask, how was all this done so lately as 1853? The Irish representatives have something to answer for. Was it not possible to have prevented it? Some of the Irish representatives who now sit on this side of the House, and some who sit on the other, did their best to prevent the injustice being carried out—notably the hon. Member for Cork (Mr. Maguire), then Member for Dungarvan, opposed the measures of the Chancellor of the Exchequer. In reference to the striking off of the consolidated annuities and the laying on of the new taxes—the income tax and the spirit duties—the hon. Gentleman the Member for Dungarvan said—

> "The right hon. Gentleman, in the course of his speech, which for a Chancellor of the Exchequer to make was, he thought, one of the jauntiest he had ever heard, said that the justice of the tax was generally felt and acknowledged in Ireland. Now, if that were the case, such a feeling ought to have manifested itself in those parts of Ireland where the consolidated annuities were particularly oppressive, and where the income tax would be scarcely felt. But what was the fact? Why, it was from those portions of Ireland in particular where the consolidated annuities pressed heaviest, and the income tax would be felt the

> lightest, that petitions and remonstrances against the proposed tax were poured into that House. . . . . The attempt to gull the people of Ireland into an approval of this tax by saying that the present proposition was a good bargain, because they would have to pay £460,000 instead of £260,000, to which they were at present liable, was worse than a financial juggle; it was, if he might say so in Parliamentary language, an Exchequer swindle. The trick was so stale, the juggle so plain, and the real object so unconcealed, he could only express his wonder at any man representing an Irish constituency being gulled by it."—[3 *Hansard*, cxxvii. 530-1.]

Nor was it the Irish Members alone who recognized the injustice of the scheme of taxation of 1853. On the 28th of April, 1853, Sir Francis Baring demonstrated that the relief to be given to Great Britain by the Budget of that year would be £1,443,000, and the taxes imposed, new and peculiar to Great Britain, would be £403,000, making the amount less to be paid by Great Britain £1,040,000. Sir Francis Baring submitted for the fair consideration of his fellow-countrymen whether it was quite fair, when they would be immediately receiving a relief of £1,040,000, to place a new income tax on Ireland, and a whole amount of additional taxation of £413,000. I will not weary the House by recapitulating all that was said by way of promise or by way of prophecy in the debates on the Budget of 1853. I must observe, however, that so far as Ireland is concerned all the adverse anticipations have been more than realized. On the other hand, a financial miracle has been accomplished. From an agricultural country whose population were flying because the struggle to live was so keen—from a country relieved at the same time and by the same act, of the charge of £260,000 a year—the residue of the dole of the State to save its poor from actual starvation—an addition of more than £2,000,000 annual taxation has been raised — a far greater sum than either the hon. Member for Dungarvan or Sir Francis Baring had anticipated. Without any very violent figure of speech, one may well call this a miracle. But here the wonder ceases. What has followed is natural enough — discontent, political disaffection, political complications, a smouldering rebellion—all, or nearly all due to the fact that the condition of the people of all classes in Ireland has been seriously impaired by the pressure of new taxes for which no return was made to Ireland—that is to say, for which no compensating duties were performed to the country. I wish the House to understand that I would have objected to no additional taxes which Parliament would have imposed in 1853, if the proceeds of these additional and disproportionately additional taxes were applied to develop the resources of Ireland; for instance, if they were applied as the taxes have been applied in India, to guarantee railway companies' dividends—and to enable them to adopt such a low scale of traffic charges as are found necessary to develope the traffic of a country in a backward state of trade, manufacture, and agriculture. I will now touch upon the second subject referred to in the Notice which stands in my name—I mean the impediments which exist to the material progress of Ireland, impediments which place her at a positive disadvantage. Since free trade with Continental ports was established most of the Continental railways have been formed, not merely under the direct sanction of the State, but if not directly with the monies of the State, either with a subsidy or a guarantee of dividend. The Continental railways which terminate at the great ports of Hamburg, Bremen, Rotterdam, Ostend, and Tonning, carry cattle for exportation to England at rates so much lower than those of the Irish railways, that the distance from which a beast can be carried to the London market, without depriving the producer of all his profits, is something, I estimate, at five to ten times the distance which suffices to prohibit production of cattle in Ireland for English markets. I wish particularly to direct attention to the very remarkable evidence of Mr. Hirschler, given on the 31st May last year before the Select Committee to inquire into the trade of animals by sea and railroad. It proves that the rates of transit which prevail in Hungary, Bohemia, Moravia, and Germany are such as to enable beasts to be sent at a profit from these districts by rail and sea to London largely, *viâ* Vienna, although the journey from the last-named city occupies seven days. I believe Irish breeders of cattle will tell us that the rates which prevail in Ireland would absorb every penny of their profits were they to raise and forward cattle one-fifth of these distances to the English markets. This evidence of Mr. Hirschler's was obtained by the Committee in the course of their inquiries on subjects connected with the cattle plague, and to my mind it carries also this moral, that it might have been a truer economy for England to have established communication with the West and

South of Ireland, even at a loss and cost to the State, rather than to draw her supplies from districts which are frequently stocked from the plague steppes of Russia. I refer to Mr. Hirschler's evidence, however, simply to show that for the purpose of trade with England the plains of Hungary, the valleys of the Danube, the Elbe, and the Theis, are, owing to our wretched railway legislation, more accessible than the plains of Mayo or Leitrim. But now I expect to be met with the dogmas of the spurious political economist; I expect to hear some one say, "All these conditions are governed by the laws of supply and demand. If Ireland can produce cattle in Mayo or Leitrim in sufficient quantity to make it the interest of railway companies to carry a large number at a low rate, rather than a small number at a high rate, the laws of self interest will compel the railway companies to lower their tariff in order to take in the larger traffic;" to all of which I reply, the low fare is requisite to develop the production; and however certain a railway company may be of the truth of the laws of development, they are seldom in a condition to act on their faith. Let me exemplify this. Suppose a railway company which owes a million of money, and pays £50,000 a year interest; at its highest rate of charges, it may realize only £50,000 a year profit after payment of working expenses. Convince the directors or managers of such a company that by reducing their scale of charges 50 per cent they will realize only £30,000 a year over working expenses the first year, £40,000 the second, £50,000 the third, £60,000 the fourth, £70,000 the fifth, and £80,000 the sixth year; and no doubt they would be willing to adopt the reduced scale if they had the power of doing so. But they will tell you surrounding circumstances are too strong for them; they will tell you first, that it is an imperative condition of their existence that they should find at least £50,000 a year for the next three years to pay the interest on their debt, and that if the money be not forthcoming consequences are likely to ensue from the pressure of creditors which would leave it of no advantage to the existing management, and possibly of none to the existing proprietary whether a future improvement took place or not. They will tell you that the maintenance of the present income is the one vital necessity of their existence, and that they have not the power to try even the most hopeful experiment. I see no practical answer that can be made to such objections, but I know what is the practical remedy for the state of things which exists, and I believe that the remedy would cost the State nothing after the first five years, and would repay its cost within the ten following years. However these are details which it would be out of place to enter upon on the present Motion. I fear I have trespassed too long on the attention of the House. I have endeavoured to place in juxtaposition two subjects, which, although distinct in their nature, have an intimate relation, and to show that the actual ratio of taxation has been enormously and disproportionally increased for Ireland since the Irish famine and the establishment of Free Trade. I have endeavoured to show that it is the duty of the State to lend at least its temporary aid to place Ireland, as a producing country, in as favourable a condition for railway traffic and communication as that of the Continental States which trade with England. I submit to the House that the proportion which Irish revenue bore to that of Great Britain up to 1841 or 1851—say the twelfth, or the eleventh of the whole—should be taken as the fair proportion for Ireland to pay for purposes of the Imperial Government, but that the extraordinary amounts levied since 1853 should be reviewed, and that Parliament should consider whether the whole or a portion of this increased revenue should be applied, as the revenue of India has been applied, to enable the resources of the country to be developed by an adoption of a low scale of traffic charges on railways. The hon. Gentleman concluded by moving his Resolution.

Mr. POLLARD-URQUHART seconded the Motion. He thought that the hon. Member who had just sat down had not sufficiently taken into consideration the increase of armaments and of expenditure which had taken place since 1853, and which necessarily caused severe pressure upon the poorest portion of the kingdom. If this increase of expenditure had not taken place the income tax could, for instance, have been allowed to expire. The increased duties upon spirits tended, he believed, to effect the ruin of the small manufacturers and to increase more or less the distress produced by the bad harvests in 1862 and 1863. He was certain that the question of Irish railways must sooner or later be dealt with by the Government. The hon. Member for Youghal had in his opinion performed a good service in bringing this subject under the consideration of the House and the Government.

Motion made, and Question proposed,

> "That, in the opinion of this House there has been a great and disproportionate increase of Irish Taxation since 1841, as compared with the increase of Taxation in Great Britain during the same period, which deserves the attention of Parliament."—(*Mr. M'Kenna.*)

GENERAL DUNNE said, that political economists when reflecting upon this question must naturally ask why Ireland, which was governed by similar laws to those of England, was so poor whilst England was continually prospering? It was obvious that for the last sixty-one years England had absorbed a large portion of the revenue of the sister country. The taxation of Ireland was wholly out of proportion to her resources. His hon. Friend had shown that that taxation during the last ten years had been raised from 10*s.* to £1 a head. That he considered perfectly true; but it must be at the same time admitted that to calculate the severity of taxation by what each man paid per head of the population of a country was a fallacious estimate. The true measure of the pressure of taxation was the amount by which it diminished the capital of a country, and it did so the more when withdrawn from it and spent elsewhere. In England if taxation was heavy it was, except about £10,000,000, spent in the country, in Ireland much less was spent in proportion to the taxes raised. He must remind the House that a few years ago Ireland had a population of between 7,000,000 and 8,000,000, whereas in consequence of emigration and other causes the population had now dwindled down to about 5,500,000. The taxation, which, however remained the same, must necessarily be taken from the capital of the country, which had not increased. According to a Return presented at the instance of Sir Edward Grogan, when a Member of that House, every pound sterling of capital in Ireland paid 6*s.* 3½*d.* taxation, whereas it only paid in England 4*s.* 5*d.*, so that Ireland paid more on her capital than England. Besides there never was a true account given by any Chancellor of the Exchequer in which there was a fair statement of the contributions made by Ireland towards the Imperial revenues. The average amount given was £6,000,000 to £7,000,000, whereas, independent of local taxation, above £8,000,000 were raised from Ireland. A large amount of Customs and Excise paid in England, for articles imported into and consumed in Ireland, were credited to the English and not to the Irish revenue, and credit for various miscellaneous receipts were equally withheld. No one could deny this—the amount might be disputed—but that from upwards of £1,000,000 to £2,000,000 were not reckoned to Ireland, was beyond doubt a fact. Another great cause of the poverty of Ireland—which, although not exactly taxation, equally diminished its capital—was the fact of a large proportion of the rents of Ireland being expended out of that country by absentee proprietors. Even Free Trade itself, however advantageous to the Empire at large, had contributed towards impoverishing Ireland, for until that time, as an agricultural country, she had enjoyed a monopoly which was then abolished. If English Members would only examine the figures that bore upon that matter they would find that there was no difficulty in accounting for the poverty of Ireland.

MR. MONSELL said, so far as he could understand the speech of the hon. Member for Youghal, his object seemed to be to show—first, that the taxation of Ireland was excessive, and secondly, that Free Trade had occasioned much injury to that country. The hon. Member then went on to argue that it was expedient the State should undertake to place £1,000,000 or £1,500,000 to the credit of the Board of Trade for the reduction of the rates of railways in Ireland. Now he (Mr. Monsell) had been principally concerned in the attempt to have the Irish railway system reformed. He maintained that it was not suited to the exigencies of Ireland, and that it had been adopted against the will of the Irish people; but he (Mr. Monsell) declined to rest the reasonableness of the alteration of that system upon anything but the simple merits of the case. He did not desire that the Imperial Treasury should be at a single halfpenny expense in the desired alteration of the Irish railway system, because that alteration could be made without any subsidy, and the people of Ireland were willing to bear all the risk themselves arising from such a change. He objected to the question being placed upon the shifting basis upon which his hon. Friend had sought to place it. He desired that it should be treated on its own merits, and that by those merits it should stand or fall. His hon. Friend declared that the imposition of the Income tax was one of the gravest acts of injustice ever inflicted on Ireland by Great Britain, and declared that unjust taxation had produced political discontent, disaffection—he even added rebellion. He entirely differed from his hon. Friend ; the income tax fell on the rich not the poor. In consideration of its imposition £240,000 a year Consolidated Annuities that fell on the poor in the poorest districts had been remitted. He considered the arrangement under which the income tax was imposed on Ireland a fair and a just one, and he should feel that the ground was cut from under his feet from urging justice to Ireland if he were to refuse to submit to the same tax as was imposed on the rest of his fellow-countrymen. Objection had been taken to the rate of spirit duties. That was not a party question ; and it was based by all parties on the simple principle that spirits differed from all other articles in this particular, that it was desirable to obtain the largest amount of money from the smallest amount of consumption, instead of the contrary, as was the case with regard to every other article of consumption. The only limit to the amount of taxation on spirits was the temptation that high duties gave to illicit distillation, and it was not pretended that illicit distillation was increasing in Ireland. He should like to see fines imposed upon those who adulterated spirits, and also power given to the dispensary doctors, when called on by the police, to analyze all spirits sold for public consumption. The effect would be to benefit the people and decrease drunkenness. With regard to the other articles of consumption, such as tea, sugar, and other Customs articles, it was perfectly notorious that, although the revenue of Ireland in that respect had increased, the rates of duty had decreased. Whilst the consumption of tea in England had only doubled within twenty years, it had trebled in amount in Ireland, and that was a matter of congratulation, and not of complaint. He differed from the opinion that had been expressed with regard to the effect of Free Trade on Ireland. The average price of wheat in that country in seven years before 1846 was 30*s.* 11*d.* per barrel, and for the seven years previous to 1862 it was 30*s.* 9*d.* At Belfast oatmeal sold in 1844, from 10*s.* to 11*s.* per cwt. It was now from 15*s.* to 15*s.* 6*d.* : butter was 9*d.* to 10*d.* per lb.; it was now 1*s.* 1*d.* to 1*s.* 3*d.* : pork was 30*s.* to 35*s.* per cwt.; it was now 40*s.* to 45*s.* : meat was 3¼*d.* and 4*d.* per lb.; it was now from 5*d.* to 10*d.* and 11*d.* Therefore he was at a loss to imagine how the producer could have suffered from the operation of Free Trade. It was alleged that land had been thrown out of cultivation ; but the number of arable acres had increased from by reclamation 13,451,301 acres in 1841 to 15,400,000 in 1866 ; and the acres under crops had increased from 5,543,745 in 1849 to 5,519,678 in 1866. He accepted for Ireland equal taxation ; he demanded for Ireland equal rights. With equal taxation she must obtain equal rights and liberties. Instead of raising imaginary grievances it would be better if hon. Members would turn their attention to real grievances, because until they were redressed Ireland never would be tranquil. Ireland never would be contented until she was dealt with on the principle that Scotland had been dealt with on the question of religious equality. They might as well expect the Bay of Biscay to be tranquil when a south-wester was blowing as to expect peace in Ireland until religious equality was granted to her people. They had to compete with their fellow-countrymen of all denominations in the private and public arena. Until they had equal educational rights with those with whom they had to compete they never would be satisfied. Inequality of rights and liberties, not inequality of taxation, as the hon. Member had said, were the real causes of discontent and disaffection. Remove those causes and you would remove the real cause of our poverty. Justice would produce peace ; peace would be followed by the influx of capital ; the removal of those evils would cure also our material sufferings. He was in favour of equal taxation, because it afforded a just ground for demanding equal rights.

MR. HUNT was exceedingly sorry that the very important Motion brought forward by his hon. Friend, should have fallen on an evening when his right hon. Friend the Chancellor of the Exchequer, and his right hon. Friend the Secretary of State for India, who had taken their respective parts in the Committee on Taxation in 1865, had, owing to commands they could not disobey, been obliged to absent themselves from the House. The hon. Gentleman who seconded the Motion, threw out a suggestion that their absence was owing to indifference, and that when the people of Ireland learnt the fact that those who were officially and more immediately concerned in the discussion were not present, they would resent the occurrence. He was therefore anxious it should be known that their absence on this occasion was perfectly unavoidable. He regretted, also, that it had fallen to him, in the absence of his right hon. Friends, to make some observations on the question, because he felt how little qualified he was to take any important share in this discussion; and how little justice he was able to do to the question. His hon. Friend who introduced the subject had challenged anyone to detect any fallacy in his statistics; he ventured to think that the figures he had given to the House would not altogether bear out the conclusions he had deduced from them. He showed that the whole population of Ireland in the twenty years from 1841 to 1861, had decreased from 8,000,000 to 5,700,000, while the amount of gross revenue per head had increased from 10*s.* 1*d.* in 1841, to £1 3*s.* 3*d.* in 1861. But it did not at all follow because that was the case, that therefore Ireland was oppressed with a greater weight of taxation, relatively to its capability of bearing it in 1861 than in 1841. The amount of taxation which a people could bear was rather an evidence of wealth, than that they were being oppressed. If they looked at the taxation of the people of Great Britain, they would find that in comparison with Ireland it was very heavy in amount. In 1841 it was £2 11*s.* 6*d.* per head; in 1861 it was £2 13*s.* What did he deduce from that? That the population of this country was wealthy and able to bear that weight of taxation. So, in Ireland he thought the increase of taxation was an evidence of the increase of the material prosperity of the country. The right hon. Gentleman who spoke last had referred to the number of acres brought into cultivation as an evidence of increased prosperity; and he had given other statistics bearing out the same inference. With regard to the decrease in population and the increase of taxation per head, it must be obvious that a decrease in population owing to the emigration of the poorer portion of the population, who contributed little to the revenue, must involve an increased rate of charge as affecting those who did contribute. He did not think that increased rate very important; but it was important to see under what head that increase had taken place. He held in his hand a comparison between the gross receipt of Inland Revenue in 1841 and 1866 in Great Britain and Ireland. He found that in Ireland the amount received under the head of Excise in 1841 was £1,274,815, while in 1866 it was £3,533,991. Under what heads did that increase fall? There was an increase of £160,000 on hops, and on spirits of £3,028,000. Therefore, under the Excise, the great increase was due to the spirit duties. [General DUNNE: What is the increase in sugar?] He had not the figures relating to sugar, except as regarded home-made sugar, but he ventured to say that sugar would be a very fallacious test. It was wholly irrelevant, because much of the sugar consumed in Ireland, paid duty in England and Scotland. Under the head of Stamps there was an increase in the twenty years of £120,000. Under that of Income Tax to the amount of £370,000. Taking the whole receipts, the amount in 1841 was £1,736,950, while in 1866 it was £4,489,339. It became important to consider whether, although there had been a large increase of duty raised in Ireland, the relief to each consumer had not been very great within that period of twenty years. He should like to give the House a few figures on that point. He would take articles, not, perhaps, of prime necessity, but next to those—luxuries which were within the reach of almost all. In 1841 the duty on coffee was 6*d.* per lb., the produce of British possessions, and 9*d.* per lb., foreign. In 1867, the duty was 3*d.* per lb. on raw coffee, and 4*d.* per lb. on kiln dried, wherever it might come from. In regard to sugar, the duty in 1841 averaged 24*s.* per cwt., and 5 per cent; in 1867, it was about 10*s.* per cwt. The duty on tea was, in 1841, 2*s.* 2¼*d.*, and in 1867, 6*d.* per lb.; the duty on tobacco and malt was nearly the same at both periods. Wine, in 1841, paid a duty of 5*s.* 6*d.* a gallon, or 11*s.* a dozen, while by far the larger part of the wines imported at the present time was only 1*s.* a gallon, or 2*s.* a dozen. All these alterations in the amount of the duties had been in favour of the Irish consumer, and therefore during the last twenty years the Irish taxpayer had been reaping the benefit of this improved state of taxation. What said the Committee of 1865 with regard to the taxation of Ireland? "It has not been shown that any tax exists in Ireland which materially interferes with her industry, except that on distillation." With the exception of the spirit duty, which was equal throughout the United Kingdom, the Committee said there was not a shadow of cause for saying there was any tax which was oppressive to Ireland. With regard to this latter duty, the House had of late years unanimously agreed that it should be kept at the highest point that could be attained without injury to the revenue, and he saw no reason why Ireland should be favoured in this respect above the rest of the United Kingdom. But the Committee went into another question as regarded Great Britain and Ireland; and they showed that while Great Britain received grants in aid of local taxation to the extent of £2,722,000, Ireland was aided to the extent of £1,297,000, the ratio in proportion to population being in favour of Ireland. Ireland at that time did not share in the grants made for medical officers; but during the last Session, on the Motion of the hon. Member for Meath, the House of Commons assented to this inequality being removed, and some weeks ago he had the honour of moving a Vote in Committee for £65,000 to be applied in grants to the Poor Law medical officers, in consequence of the Committee having pointed out that those persons did not share in the grant for that purpose to England. The Committee also referred to the amount of public money which had been lent on loan to Great Britain and Ireland respectively. The amount so lent between the years 1817 and 1863 was to Great Britain £13,959,125, and to Ireland £26,292,867, or very nearly double that which had been lent to Great Britain. It should also be remembered that Ireland was still exempt from the land tax, the assessed taxes, the horse duty, and railway taxation. Under these circumstances, he did not think that Ireland had much cause for complaint upon the subject either of taxation or of grants. So far from agreeing with the hon. Member that they ought to view the increase per head of the amount of revenue raised in Ireland, he thought that such an increase in the revenue was a sign of material prosperity, and showed that that country was gradually getting on a par with the sister country. He hoped that in the course of a few years confidence would be restored in Ireland, that the unfortunate disaffection which had disturbed that country would wholly disappear, and capital return, so that her resources might be developed and her prosperity go on augmenting. He hoped that the hon. Member would not think it necessary to force the matter to a division.

Mr. WHALLEY complimented the Secretary for the Treasury upon the clearness with which he had shown that the taxes of Ireland were, if anything, more favourable than were those of England, and expressed his great surprise that the right hon. Member for Limerick should have referred the recent disturbances in Ireland to religious inequalities in that country. He thought it scarcely worthy of the right hon. Gentleman's position in that House that he should attribute the disaffection in Ireland to the oppression which Ireland had sustained at the hands of the English since the reign of William III. But he wished to refer more particularly to the address of the right hon. Gentleman the Member for Limerick. The right hon. Gentleman said that religious inequality was the great grievance of Ireland. Now he (Mr. Whalley) denied the accuracy of that statement. He denied that the people of Ireland wished to interfere with the Established Church, or that they were emigrating in consequence of any hardships they were suffering from this country, and which it was in the power of Parliament to remove. They had the authority of the right hon. Gentleman the Member for Calne that the question of education did not create any opposition among the people, but only among the priests. He would give some facts in proof of that statement. A large district in the West of Ireland had come into the hands of an English proprietor who wished to extend education and establish Protestant schools; and would it be believed that the priest in that district in order to prevent his congregation from sending their children to that school, announced that on a particular day he would turn all the children who might go to it into goats? The greatest alarm was created in the district, the people generally believing that the priest had the power to do so, and that he would exercise his power. A gentleman of high position in London was communicated with, and his advice asked as to what should be done. That gentleman, without expressing any doubt of the priest's power, wrote to inquire on what day the ceremony would be performed, in order that he might make a journey over to Ireland to witness it. He would give another instance—in the South of Ireland the people showed the greatest possible desire to receive an education beyond that given by the parish priests. On one occasion the priest told a man that if he would insist upon sending his child to a Protestant school—["Oh, oh!"]

An hon. MEMBER rose to Order. He would put it to the Speaker whether the observations of the hon. Gentleman had any relation to the subject then under the consideration of the House.

MR. SPEAKER said, that somewhat extraneous topics had been introduced into that discussion; but he thought the hon. Gentleman was rather exceeding the bounds usually accepted upon such occasions.

MR. WHALLEY resumed: He would soon finish what he had to say upon that subject. The priest told one of his congregation that if he sent his child to the Protestant school he would change the child into a rat. The House should bear in mind that this was a matter of importance considered in relation to the enormous advantages which education would confer on Ireland. The poor man was somewhat intimidated by that announcement, and after consulting with his wife he said that he was resolved on sending the child to the school, but that for fear the priest would do what he threatened they had better kill the cat. ["Question!"] He did not know what hon. Gentlemen wanted, and he would sit down and let them state their objections to the course he was pursuing.

LORD DUNKELLIN said, that the Secretary to the Treasury had argued that the increase in the taxation of Ireland was in proportion to the increase in her prosperity; but he had failed to give any proof that between the years 1841 and 1861 the prosperity of Ireland had increased in such a ratio to that of England as to justify the increase in the taxation. Whatever might appear to be the case, those who knew the two countries practically were aware that this was not so. The hon. Gentleman had gone on to show that a great part of the increased revenue came from the duty on spirits. But this was really no just cause for complacency. The duty might have increased, but what had become of the distillers? To go no further than the town with which he was connected (Galway), where were the distilleries that formerly were one of its most remarkable features? The complaint in Ireland was, that so high a duty had been imposed upon many of her manufactures as had crippled the energies of the people. It was true that these protective duties had been by degrees swept away, but while the spirit duty had been doubled, Ireland was also called upon to bear her full share of the other imposts placed upon the kingdom. When Sir Robert Peel introduced the income tax, he specially exempted Ireland, on the ground that she was too poor to bear it, and instead of it he raised the spirit duty, and imposed an additional stamp duty. Since then the spirit duty had been doubled, the stamp duty still remained, and they had got the income tax in addition. He was quite aware that this taxation had been imposed by the Liberal side of the House; but as the hon. Gentlemen on the Treasury Bench had supported the policy, it was necessary to call attention to the real facts of the case. He should not recommend his hon. Friend to press the Motion; but it was to be hoped that the Government, when adjusting the financial burdens of the next year, would consider whether there were not some grounds for the complaints made of injustice and inequality in the taxation of Ireland.

SIR FREDERICK HEYGATE said, that the Report of the Select Committee on Irish Taxation would, if it were examined, disprove some of the statements made in the course of the debate. Mr. Senior had said that he did not believe that Ireland was a poor country because she was overtaxed, but that she was overtaxed because she was poor. The Committee reported—

> "It is not surprising that the large increase which your Committee have noticed in the general taxation between 1852 and 1862, and again in the local taxation since 1845, should have given rise to complaint. Nor is it surprising that louder complaints should have been made by Ireland than by other parts of the United Kingdom. The pressure of taxation will be felt most by the weakest part of the community, and as the average wealth of the Irish taxpayers is less than the average wealth of the English taxpayers, the ability of Ireland to bear heavy taxation is evidently less than the ability of England."

It was conclusively proved before the Committee that Ireland enjoyed little exemption from taxation now, and, secondly, that she was far from able to bear equal taxation with England. She enjoyed no exemption now except from assessed taxes and land tax. No policy could be worse than that of equal taxation for Ireland. Every statesman had accepted the principle that it was wiser and better to lighten the burdens of the weaker kingdom, and the experience of the last few years had shown that the principle was sound. Ireland had become much worse to live in than it had been; and as Irish landlords were taunted with non-residence, he would ask what advantage there was to induce them to live in a remote part of the Empire, cut off from the advantages of civilization? In Ireland there was hardly any trade or profession to which landlords could bring up their sons. All the great rewards of the military, naval, and civil services, everything was centred in London; and yet when Irish landlords came to live here they were taunted with a want of patriotism. One circumstance which made equal taxation anything but equal in Ireland was the absence of a large middle class, which in England, in times of misfortune, came like a buffer between the poor and the rich. In Ireland the small farmer and the labourer constituted the only class besides the landlord class, and the landlord might have paid income tax upon the full amount of his income, and next year find it much below that amount. There was less saving of money and less accumulation of capital in Ireland than here. Hon. Members who believed that Ireland was exempt from taxation ought to read the evidence taken by the Committee on the subject. He commended the hon. Member for Youghal for having taken up the subject, which ought to be dealt with independently of party politics. He was glad that the leading question of the day as regarded Ireland—that of Irish railways—was under the calm and deliberate consideration of the Government, free from the outcry that prevailed in Ireland. It would be unwise to deal with this question as one connected with taxation. England owed a great debt to Ireland in respect of the railways, for if the plan of Lord Bentinck had been carried out Government would have done in Ireland what had been done in foreign countries; the island would have been properly surveyed, and the proper lines would have been constructed. The proposal to do that in Ireland having been negatived, this country was under some sort of obligation to deal favourably with Ireland. He believed that the Irish railways ought to be amalgamated for better management and control; and if a loss attended the necessary change, it was undoubtedly to the interest of England that it should be borne by the Imperial Government. He hoped the Government would inquire whether there was any mode of dealing with the railways other than the wholesale one of purchasing every line. If the lines were sold, they would fall into the hands of the great English companies, who would work them for their own advantage. If it was the interest of the country that the Irish railways should be taken up by Government, the cost of the operation ought to be borne by both countries.

MR. SYNAN, while in favour of a reduction of taxation in Ireland, so as to give that country an equality of taxation proportioned to her ability to meet it, also thought that every landlord and every other person of influence in that country had a duty to discharge towards her by residing and spending his income there. The Secretary to the Treasury attempted to reconcile the theoretical prosperity of Ireland with her practical misery. Like the patient who ought to recover and did not, Ireland, tested by her taxation, instead of being miserable ought to be prosperous. The hon. Gentleman said that the wealth of England was evidence of her capacity to bear taxation; but of Ireland he said her taxation was the evidence of her prosperity. In one case, he argued from the cause to the effect, and in the other from the effect to the cause. A poor nation might bear taxation and be crushed by it; a wealthy one became prosperous notwithstanding it. He quite conceded that capitation was not a true test of disproportionate taxation; the real test was the wealth of two countries; and he was astonished that the Secretary to the Treasury did not see the disproportion between the wealth of England and of Ireland and their equality of taxation. The disproportion was as 19 to 1. The savings banks deposits were as 18½ to 1; the Post Office was as 14 to 1; the receipts of railways were as 19½ to 1; Government Stock was as 19 to 1; and the probate and succession duty was as 16 to 1. Taking the average, the wealth of Ireland was as 19 to 1, when compared with the wealth of England, while the taxation was as to 9 to 1. Ireland therefore was, in proportion to her capacity, taxed twice as much as Great Britain, and here he might remark that the fact of the taxation of Ireland was no proof of the wealth of that country. The hon. Member the Secretary to the Treasury had alluded to the amount of grants given to Ireland as compared to those made to England; but if the hon. Gentleman had investigated the matter more closely, he would have found that three-fourths of the amount granted to Ireland was granted for the maintenance of the constabulary, which was in reality, as recent events had proved, a military and Imperial body, kept up for Imperial purposes. Another argument which had been adduced was that the prosperity of Ireland was not in the least affected by her being taxed more in proportion than England; but he wished to point out that, whether the fact were so or not, it was entirely foreign to the present Resolution, which simply affirmed that there was a disproportion of taxation—and he defied any hon. Member to deny that proposition. With regard to green crops alone, he might mention that between the years 1860 and 1866, there had been a diminution to the extent of 150,000 acres, and other kinds of crops had diminished to a similar extent. To say that prices had increased, while the amount of produce had diminished, was no argument at all, because the one fact was perfectly consistent with the other. Then, again, no one acquainted with the country would set the increase of pasture lands against the diminution of that which was the source of the people's labour and the nation's wealth. As to the emigration, he begged to inform the House that it was taking away the real bone and sinew and the trained skill of Ireland, and was leaving behind it a weak and imbecile population, whose wages, indeed, might increase at certain places and during particular seasons, though not on an average of twelve months. The pay of the navvies, for instance, which was at one time 1*s.* 2*d.* per day, had at one time increased to 1*s.* 10*d.*, but at the present moment it was nothing at all. In conclusion, he expressed a hope that the Resolution would be confirmed.

Mr. THOMSON HANKEY believed that he was the only English Member on the Committee referred to, and he must say that he regretted extremely that this subject should have been again brought under the notice of the House. That Committee had endeavoured to form an unbiassed opinion, and it came to the conclusion that the misery and wretchedness of Ireland was not owing to the taxation of that country. He objected to the unfairness of hon. Members in bringing forward Irish questions, as if English Members took no interest in the prosperity of Ireland. He firmly believed that the prosperity of Ireland was bound up in that of England, and that England's well-being was Ireland's also; the statistics which had been collated by the Committee upon which he had sat from time to time during two years bore out that statement, and he was sure that if English Members would trouble themselves to enquire into and discuss Irish questions the common object would be more efficiently secured.

Mr. BRUEN was of opinion that the heavy duties upon spirits and malt in Ireland were matters worthy of the gravest and most careful consideration of the Government. Some small justice might be done to Ireland if these taxes were modified or reduced. The wealthy classes had it, however, perhaps more in their power than any body to improve the condition of that country. Ireland suffered much from "absenteeism," and she would still suffer until that system was abandoned. If those who drew large revenues from the country continued to live in another country and to spend there the wealth acquired in Ireland she would necessarily remain poor; but if they would spend their money where it was earned and reside on their own estates there would be more hope for peace and prosperity being restored.

Mr. M'KENNA asked hon. Members how they could reconcile the facts that the taxation of Ireland anterior to the Union was one-fortieth of the entire taxation of the United Kingdom, that it was a twelfth in 1853, and was now a ninth? How had this difference arisen, and was it justifiable? That was the question he propounded for solution; at the same time he was quite prepared to admit the possibility of Ireland's having increased to a greater extent in proportion than England had; his only object was to ascertain the facts of the case, and amend the law in accordance with those facts. He would not press his Motion to a division, as he felt that the discussion which had taken place would in some measure tend to the accomplishment of the object he had had in view.

Motion, by leave, *withdrawn.*

DISTRICT LUNATIC ASYLUMS OFFICERS (IRELAND).—LEAVE.—FIRST READING.

Lord NAAS rose to move for leave to introduce a Bill which proposed to make important alterations in the laws for regulating the District Lunatic Asylums in Ireland. For many years the officers and servants in those institutions had been appointed by the Government; he thought however that the time had now come when, with the exception of the two Chief Officers, the power of appointing all the *employés* of these establishments might be taken out of the hands of the Government, and for this the Bill provided. The second and more important part of the Bill referred to the custody of dangerous lunatics, under the provisions of an old Statute. For many years it had been customary in Ireland for magistrates to commit these persons to gaol—a barbarous system, quite at variance with every sound principle as regards the treatment of the insane. The practice arose from an attempt being made by a lunatic in 1800 on the life of the King, when an Act was passed authorizing the magistrates of England to commit dangerous lunatics to prison. That Act was made the subject of remonstrance on the part of various Commissions and Committees, and was subsequently repealed. In 1838, notwithstanding the experience which had been gained of the working of the former Act in reference to England, a similar measure was passed for Ireland, in consequence of the committal of an outrage in the streets of Dublin, and from that time to the present moment nothing in the working of that Act had proved that it was either beneficial or desirable, while several Committees had reported against it. It might perhaps be urged that the present system was required because there was so little accommodation to be found in the lunatic asylums of the country, but the objection was one, he was glad to say, which had been partially, and would soon be altogether, removed. On the 31st of December, 1866, the total number of lunatics in gaol was only 321. The unfortunate persons to whom it referred could be immediately provided with accommodation; and, therefore, as the new lunatic asylums in progress would provide accommodation for 600 or 800 patients ample room would be found without difficulty. It was impossible to overrate the evils of the present system. Not only was the practice exceedingly barbarous to the lunatics themselves, but the presence of a number of these prisoners rendered it impossible to carry out the proper discipline of the prisoners. The noble Lord concluded by moving for leave to bring in the Bill.

MR. BAGWELL thought that the great defect in the present system was that the medical men were not trained to the treatment of lunatics; and until that evil had been thoroughly remedied legislation of any kind would not, he believed, be productive of much benefit.

SIR FREDERICK HEYGATE said, that the reason why the Act to which the noble Lord had referred was originally passed, was because these lunatics could not be otherwise provided for; and he should be glad to learn what course it was proposed to take should the lunatic asylums of the country at any future time become too full to receive any fresh inmates?

LORD CLAUD HAMILTON pointed out the importance of treating lunacy in its incipient stage.

LORD NAAS, in replying, expressed his belief that sufficient accommodation could easily be provided. No class had a stronger claim to consideration than dangerous lunatics, for if taken to an asylum they were often rapidly cured, whereas if sent to a gaol they might require confinement for months or perhaps for life. The governors, therefore, even at the risk of overcrowding asylums, would, he was sure, feel bound to provide accommodation for this class.

Motion *agreed to.*

Bill to provide for the appointment of the Officers and Servants of District Lunatic Asylums in Ireland, and to alter and amend the Law relating to the custody of Dangerous Lunatics and Dangerous Idiots in Ireland, *ordered* to be brought in by Lord NAAS and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 242.]

CUSTOMS REVENUE BILL.

Bill "to alter certain Duties and to amend the Laws relating to the Customs," *presented,* and read the first time. [Bill 238.]

INLAND REVENUE BILL.

Bill "to alter certain Duties and to amend the Laws relating to the Inland Revenue," *presented,* and read the first time. [Bill 239.]

CARRIERS ACT AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to further amend the Carriers Act.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. BAZLEY, Mr. CORNWALL LEGH, Mr. WILBRAHAM EGERTON, and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read the first time. [Bill 243.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 6) BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Exeter, Devonport, Reading, Warley, and Midgley; and for other purposes relative to certain districts under the said Act, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 244.]

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, July 10, 1867.

MINUTES.]—Public Bills—*Ordered*—Justices of the Peace Disqualification Removal *; Dublin Metropolitan Police.*

First Reading—Justices of the Peace Disqualification Removal * [245]; Dublin Metropolitan Police * [246].

Second Reading—Education of the Poor [111]; Railway and Joint Stock Companies Accounts * [188].

Third Reading—Banns of Matrimony * [141], and *passed.*

EDUCATION OF THE POOR BILL.

(*Mr. Bruce, Mr. W. E. Forster, Mr. Algernon Egerton.*)

[BILL 111.] SECOND READING.

Order for Second Reading read.

Mr. BRUCE thought it due to the House, on rising to move the second reading of the Bill, to explain why at so late a period of the Session he brought forward a subject likely to lead to protracted discussion. He held, in common, he believed, with the great majority of the people of this country, that there was an urgent necessity for doing something to extend education, and he believed that a discussion of the best manner of effecting that object, although it might not lead to immediate legislation, would be useful for the purpose of bringing out the facts, and eliciting opinion. He felt it less easy to justify himself from the charge of presumption in undertaking a task which had proved too great for men, so far his superiors in ability and authority in that House. When he called to mind that measures similar to this had been submitted by Lord Russell, Mr. Cobden, Lord Stanley, Sir John Pakington, Mr. Milner Gibson, and Lord Granville, and that they had failed to secure their acceptance by Parliament, he might naturally hesitate to enter upon the same task. Nearly twelve years, however, had elapsed since the noble Lord (Lord Stanley) and the right hon. Gentleman (Sir John Pakington) brought in their Bill on the subject, which was withdrawn without a division, and eleven years had passed since Lord Russell moved his Resolutions, which were rejected by a considerable majority. Both those proposals were designed to supplement the existing system. In 1858 the present Secretary for War (Sir John Pakington) obtained the appointment of a Commission, well-known as the Duke of Newcastle's Commission, and their Report, presented in 1861, led to the introduction of the Revised Code, which, though mainly aiming at the improvement of education and at the prevention of lavish expenditure, also contemplated the extension of education. That Code had been in operation a sufficient length of time to test its operation in both respects. To justify the introduction of the present measure, he was bound to show that the measures hitherto adopted had proved insufficient, and this proof must be based on an estmate of the number of children at school and the number that ought to be there. Accepting the axiom of the Committee of Council that one-sixth of the population ought to be at elementary schools for the labouring classes, and bearing in mind that the average attendance was usually about one-fourth less than the number on the books, there ought (taking the population of England and Wales, to which alone the Bill applied, at 21,000,000) to be 3,500,000 at elementary schools for the labouring classes. A deduction of one-fourth, or say 900,000, would give an average attendance of 2,600,000. Now, the number actually attending schools assisted by the State was 1,200,000, the average attendance in 1866 being 903,561; so that there remained to be accounted for no less than 2,300,000 on the books, and 1,700,000 in average attendance. At the time of the Commission in 1858 there were 2,165,926 children in schools of every description, and the Commissioners found that 1 in 7·7 of the population of England represented the numbers on the books, which would be equivalent to 1 in 10 in average attendance. In Prussia the attendance was 1 in 6·25, and it had been argued by the National Society that our system could not be very defective, since it produced an attendance of 1 in 7¾, as compared with the Prussian compulsory system, which led to an attendance of 1 in 6¼. The true comparison, however, was between 1 in 6¼ in Prussia, and 1 in 10 in England, for, owing less perhaps to compulsion than to the social habits of the people, the average attendance in Prussia was very nearly equivalent to the number on the books. Moreover, the English attendance comprised all sorts of schools, including at the date of the Commission (1858) three divisions which they classified as—

1st. Schools receiving Government Grants	917,255
2nd. Public Schools, unassisted .	675,155
3rd. Private Adventure Schools .	573,516
Total	2,165,926

These were the numbers in the books; and while the Commissioners found a majority of the schools in the second division to be indifferent, they represented the third division to be almost wholly bad. Half, therefore, of these English schools were then, and are now, of a far inferior description to the ordinary Prussian schools, which are, on an average, equal to our assisted schools. Thus, not only was the attendance in this country inferior to that of Prussia, but the inferiority in the quality of the schools was still more marked. It was true that since 1858 there had been an increase of 328,730 in the numbers present at inspection in assisted schools, the figures being 757,082 in 1859 and 1,086,812 in 1866, showing an average annual increase of 47,000, whereas the natural increase of population would have given an increase of only 33,000. It had hence been inferred that the ratio of increase in school children was greater than that in the population; but this was a mistake, for the larger portion of this increase was due to the conversion of unaided into assisted schools. Probably not one-fourth of the increase was an actual increase in the number of school children, for during the last two years, while the number of children in schools brought within inspection, and nearly all within grants, had been 154,313, the building grants had only aided in providing for 35,848. The principal deficiency in school accommodation was popularly supposed to exist in the rural districts, and the Select Committees on Education, which sat in 1865 and 1866, had confined their inquiries to those districts. That deficiency was undoubtedly great. The Report of the Committee of Council for 1863 showed that only 4,000 parishes, including under that term all townships relieving their own poor, received assistance from the State, while 11,000 received none; 4,000, however, of the latter had a population of less than 200; and since 1863 probably between 500 and 1,000 parishes had put themselves in a position to receive assistance; but State aid had certainly been slow in reaching the poorer country parishes. He believed, however, that much the greatest deficiency existed in our populous towns, and the Commissioners were of opinion that the bulk of uneducated children were in the towns—

"Sir J. K. Shuttleworth confines his proposal to small agricultural populations and in such parishes it may perhaps sometimes be usefully adopted. But the children in such parishes form a small portion of the whole body of uneducated children. The bulk of those children are to be found in towns, and in towns the requirements of the Committee of Council cannot safely be diminished. The schools must be large and well ventilated; for the children are numerous, and their lower state of health unfits them to endure a bad atmosphere, Sites are procured with difficulty and at enormous expense. The children are perhaps intellectually superior to the children in the poor agricultural districts, but morally inferior to them; the home influences are generally worse, and the companions with whom they come in contact in the street and in the alley are still worse. It is an axiom, says Mr. Cumin, that a child left in the streets is ruined. Such children require the best school buildings and the best teachers that can be obtained. They cannot be aided therefore by diminishing the expense of education."—[*Report of Commission*, p. 287.]

Education was very unequally distributed in different parts of the rural districts, the voluntary system flourishing or languishing under apparently similar conditions. In Somersetshire not one parish in five received aid, whereas in the diocese of Bangor, 103 out of 110 Church schools, and in Kent 66 per cent of the Church schools, educating 75 per cent of the labouring population, were assisted by the State. In the counties of Cumberland and Westmoreland about two-thirds of the schools were so assisted. In the diocese of Oxford half the schools were receiving assistance from the State; and no distinction can be discovered between the local circumstances of those parishes which did not receive assistance and of those which did. As a general rule, it might be said that the fact did not depend upon local wealth, but upon the greater or less liberality and activity of the gentry. In parishes having a liberal landlord and an active clergyman there was no great difficulty in complying with the conditions of the Committee of Privy Council. In large towns, and more especially in the surburbs of large towns, the requisite elements of such a system were permanently wanting, because vast masses were congregated together without their natural leaders and the necessary admixture of classes. The returns from the large towns would establish this assertion beyond all doubt. He would first take the metropolis. The Bishop of London, in consequence of representations made to him, determined upon ascertaining the real extent of educational destitution in his diocese, and issued a circular to all the incumbents of the parishes and districts in his diocese, asking for returns on the state of education. These returns included as nearly as could be ascertained the number of children, not only in the Church schools but also in schools not connected with the Church. The total population of the diocese of London (exclusive, of course, of Winchester) was 2,176,240. If his position were correct, that one-sixth of the population ought to be on the books of the schools, there should be 362,000. The returns gave the number at school,—129,332 in Church schools, and 52,693 in non-Church schools. To these might be added 9,122 attending night schools, making a total of 191,147. The accommodation in schools of all kinds was 203,545. It would therefore appear that there were about 170,000 children not at school, but who ought to be there. But as objections might be taken to averages, which, it might be argued, were hypothetical, and would vary with the varying constitution of the population, he would ask their attention to some positive statements of fact, which could not be doubted or controverted. The returns were made by 162 clergymen of the diocese of London. Of these, 17 stated that there was no school in their parish or district; 108 that they were urgently in need of more schools. Of 1,085 Church schools in the diocese, 595 were aided and 490 were unaided. In the poorer districts of Spitalfields, Stepney, &c. —of a population of 424,590, one-sixth or 70,765, ought to be at school. But the total attendance was only 40,423, and there was only accommodation altogether for 44,487. Of 148 Church schools in these latter districts, only 58 received grants from the State, and 90 were unaided. The following were specimens from the returns of the London parishes in which there were no schools :—

> "St Paul's, Old Brentford.—National schools wanted; none exist. St. Andrew's, Islington. —No national schools; population 15,000; infant day school in debt £50; difficulty in obtaining site for new schools. St. Matthew's.—Population, 7,000; no boys' school; girls' and infant schools for 200; 50 boys obliged to be dismissed to turn a mixed school into a girls' school; new national schools in contemplation; half the funds raised. St. Barnabas.—Population, 7,000; no schools; no advantageous site can now be obtained. St. Philip's, Dalston.—Population, 10,250; no boys' school; infants' and mixed school lately enlarged. Hackney Wick District.—Population between 5,000 and 6,000, and is rapidly increasing; the only school room is a temporary building, which serves the purpose of a day school (for 150 mixed, but chiefly infants), Sunday School and temporary church. St. Paul's, Tottenham.—Population, 2,765; no school buildings; an infant school is held in a hired room; a boys' school and infant school contemplated. St. Paul's, Stratford,—Population, 7,000, almost exclusively of the working class; no schools; if we had school rooms we should have good schools, but we have no room and no means of procuring one. St. Saviour's, St. Pancras.—Population, 7,000; no schools; immense difficulty in obtaining site. St. Paul's, Buckingham-gate. — Proprietary chapel newly converted into a district church; national schools needed; population, 4,000; many hundred children around go to no school whatever. St. Augustine's, Haggerston.—Population, 8,000; new district church in progress; no schools except for 280 infants; the erection of boys' and girls' schools is desired."

He would not weary the House with any more cases, but he held in his hand a list of at least 20 more quite as strong as these. He would, however, cite two cases from the Children's Employment Commission to illustrate the state of education among the young people of the metropolis. Mr. Lord, in his Report on wholesale stationers, said that in an establishment in Bishopsgate, where 38 boys were at work, half were unable to read. At another, in Upper Thames Street, where 40 girls, from 12 to 16 years of age, were working, quite one-half were unable to read. The Report on bootmakers was to the same effect—

> "The boys who assist riveters in London, whether they work in factories or not, are very ignorant and uneducated. The majority cannot read. Even among those who might be supposed to be of a rather higher class, from the fact of their seeking work in the warehouse in preference to the riveting shop, it is difficult to find any who can read and write when they are wanted. The ignorance which prevails in the Hackney Road and Bethnal Green districts among the lads who work for the journeymen, whether in sewn or rivet work or finishing, is spoken of as characteristic rather of the locality than the trade."

The unequal distribution of education, so characteristic of our present system, is clearly displayed by the Report of the Registrar General in 1866, showing the number per cent of those who were unable to sign their names in the marriage register. In St. George's, Hanover Square, the number per 100 was three men and three women; in St. George's-in-the-East, the general average of men and women was 27½ per cent, and in Bethnal Green it was 34½ per cent. It was to be remembered that to sign their names was an accomplishment possessed by many who could write nothing else, and that a percentage like that of St. George's-in-the-East and Bethnal Green represents at least one-half of the labouring classes. This state of things was not the fault of the London clergy; for he knew no body of men who were more entirely devoted to their duties. He would now turn to Manchester. Much valuable information had been elicited by the labours of the Manchester and Salford Education Aid Society. The population of Manchester and Salford in 1866 was 493,390. Taking the usual estimate of one-sixth of the population, there ought to be 82,295 on the school books, but there were only 55,000 children on the books of schools of every denomination, and 38,000 in average attendance. Deducting 7,000 of the easier classes, there remained 48,000, which left a total of 34,000 children of the labouring classes who were not at school. One of the subjects of inquiry by the Manchester and Salford Education Aid Society was directed to the incomes of the families. There were 33,000 children found belonging to families whose income, exclusive of rent, in no case exceeded 3*s.* per head per week, the average being 2*s.* 0½*d.* In the year 1865 they canvassed districts containing 7,650 families, having 23,988 children. Of these children, 11,086 were between 3 and 12 years of age, of whom 762 were at work, 4,537 at school, and 5,787 neither at work nor at school. In other words, for every 52 children at work or at school, 58 were neither at work nor at school. Only 1 in 14 absentees was at work, a proportion very different from that estimated by Mr. Fraser, who supposed that two-thirds of the absentees were at work and one-third idle. But it might be said, "These statistics prove nothing. The school age extends over nine years; all these children may, therefore, either have attended or may hereafter attend school for some portion of that time." But external evidence fully confirmed the accuracy of the statement and its unfavourable character. The Royal Commission presided over by the Duke of Newcastle found that while in England and Wales generally 1 in 7·7 of the population was on the books of schools, in Lancashire there was only 1 in 13·3, and a large number of those who could read and write did so very imperfectly. An examination made last year in Manchester showed that out of 1,660 young persons, indifferently selected, between 12 and 20 years of age, as many as 759 could not read. The Report of the Registrar General returned 20 men and 47 women, being an average of 33½ per cent, who signed the marriage register by marks. The inference is, that about half of the labouring population are unable to write even their names. In Manchester and Salford all parties of all denominations, with very few exceptions, concurred in asking for power to raise an educational rate. The want of schools was not so great an evil as their unequal distribution throughout those great cities. But funds were needed for providing better schools, and especially for supplying free schools in the poorer districts. He would now turn to Birmingham, where a minute inquiry had been made by a most competent person, Dr. Gover, principal of the Worcester, Lichfield, and Hereford Training College. He affirmed that—

> "Between the ages of five and ten there were only 18,518 scholars, being only 46 per cent of the population between these ages. Between the ages of 10 and 15, out of 34,495, there were 9,926 scholars—that is, 28·78 per cent, or less than 1 in 3."

Dr. Gover added—

> "Yet can we rest content, as Members of a great State, as citizens of a great municipality, with the fact staring us in the face that less than half our population of school age are being fitted by education for their future duties?"

Dr. Gover, speaking of the unequal distribution of schools, gave reasons for its existence in Birmingham applicable to all the populous districts of the country:—

> "At some parts of the borough, schools lie so thickly together that one can thrive only at the expense of some of its neighbours; at other parts, they overflow with scholars, for their utmost accommodation is too little for districts in which year by year dwellings are being erected by hundreds. In central districts, where dwell the most necessitous, and where the residents above the manual labour class are becoming fewer, from want of extraneous help, a small school feebly lingers on in buildings designed for larger numbers; or because the fees must be low in these quarters, reduction of expense is purchased by reduction in the staff and efficiency of the teachers. In outlying districts a class, better off by their readiness to pay higher fees, outbids the poorer for the limited space, so that the latter are left untaught."

Dr. Gover also referred to the difficulties attending the voluntary system in large towns, in language which was worthy the attention of the House—

> "Neither, in considering whether we can trust to the power of this system in the borough, for the future must it be overlooked that, on the one hand, the cost of sites and of erection has become greater yearly; while, on the other, all those who possess a moderate competency, or even secure a tolerable income, fly from the town itself to dwell in the purer air of suburbs, or of villages of villas by railway sides. The separation of classes, however unavoidable, keeping pace with advance of wealth, with ideas of health or comfort, becomes a deadlier evil every day. The opulent fashion their own communities outside; the

labouring or the necessitous classes are left to form societies solely by themselves within the town. It is almost in vain that ministers of religion seek to enlist, systematically at least, the sympathies of the richer, who live apart, for plans of social good within their densely crowded courts; vainer far for them to ask the means of providing instruction for every child from the population which throngs around them, living from hand to mouth."

He would now ask to be allowed to read one out of many proofs of widespread ignorance in Birmingham which would be found in the Third Report of the Children's Employment Commission. Mr. White examined 80 young persons of from 7 to 16 years of age at one large factory, and found that 72·5 per cent admitted that they could not read. Referring to the Report of the Registrar General it would be found that 30½ per cent of the entire population of Birmingham were unable to write their names in the marriage register. Yet no town in the kingdom had exerted itself more vigorously in the cause of education than Birmingham. The failure arose not from want of zeal; but because the system was ill adapted to such places, and broke down in providing for large masses of children in populous districts. He would next take Bristol. In the Report of the Factory Inspectors, 1866, it would be seen that Mr. Stansfeld, certifying surgeon of Bristol, found that out of 890 children and young persons examined 425 were totally ignorant. He would now go to North Staffordshire. Dr. Arlidge, of Newcastle-under-Lyne, certifying physician under the Factory Acts, examined 1,000 children and young persons (between the ages of 8 and 18) in 1866, of whom 26 per cent were under 12 years of age. He found that 15 per cent could read common words pretty well, and could write from dictation, and 18 per cent knew their letters and could spell words of one syllable, but could not write; 24 per cent could by spelling make out simple names, and could manage to write their names; 42 per cent did not even know their letters; and only 24 per cent had some knowledge of arithmetic. The evidence of Dr. Arlidge would be found in the Report of Factory Inspectors, 1866. The Inspector of Factories in the same district, and in the same year, made a similar Report. He said—

> "Between the 1st of September and the 31st of December, 1866, 7,948 children and young persons under 16 years of age were educationally tested, *vivâ voce*, by the certifying surgeons to 19 principal cotton works in Lancashire, Yorkshire, and Cheshire, and 2,178 children and young persons were also equally tested in the earthenware, colliery, and iron districts of North Staffordshire. Of the former 63 per cent could read, of the latter only 26 per cent.

He had been charged lately by Mr. Fraser with exaggeration in stating that 50 per cent of the working population were uneducated. Yet here were figures which went far beyond his statement, and led to the inference that it was very much below the truth. Mr. Longe, in the third Report of the Children's Employment Commission, said—

> "The efforts that have been made to promote elementary education among the populations engaged in the staple trades and manufactures of Staffordshire and the adjoining districts are well known through Mr. Norris's Reports. Nevertheless, in his Report of 1861, he is only able to say that one-third of the children in the 'annual grant' schools of his district are able to 'read fairly well what they are accustomed to read, and that about 1 in 12 can read whatever is put before them.'"

In South Staffordshire it appeared from Mr. Longe's Report that—

> "Large numbers were found to go to work at many of the occupations of the district under ten years of age, and of those found at work and examined by Mr. Longe, although it included those up to the age of 14, he says that not much more than one-half were able to read."

Many boys told him they had been good scholars, but they had quite forgotten all they had learnt; and Mr. Longe's conclusion upon this subject is—

> "That many of the boys now at work have never been to school at all, while a large portion of those who have been to school previously to beginning work lose after a few months almost all the knowledge they have acquired, owing to the absence of any sufficient provision for continuing their education."

With reference to this last statement, he would remark that one great object to be aimed at was to improve the quality of the schools by increasing their funds, so that the utmost might be done to secure such an amount of progress as would prevent this early loss of the knowledge acquired at school. In the borough he represented (Merthyr Tydvil) a close examination had been made during the spring of this year before commencing a subscription for a new school. The borough had a population of 57,000, and they divided it into two portions. One of these portions, Dowlais, contained a population of 15,000 persons grouped round some iron works, the proprietors of which, having a strong sense of duty, had established admirable schools. No compulsion was exercised, and the rate of wages was so high that many of the children were tempted to leave school and go to work at a very early age. Yet Dowlais had schools with 2,600 children on the books, or 1 in 6 of the entire population. The remaining 42,000 had 3,382 children, or one in 12½, on the books instead of 7,000, the number proportionate to that of Dowlais. In his own district, at Mountain Ash (Aberdare), out of a population of 7,000 there were at school 1,023 children; yet the rate of wages was so great that many were at work who ought to be at school. He thought he had sufficiently established his case of the unequal distribution of schools, and he now came to consider the remedy. Among those who had held the office of President or Vice President of the Committee of Education before he had the honour of filling that office there had been no difference of opinion on this subject. Earl Russell, Earl Granville, the right hon. Member for Calne (Mr. Lowe), and the right hon. Member for North Staffordshire (Mr. Adderley), had all expressed their conviction that the present system was inadequate, and that it ought to be supplemented by local action in the form of local rates. The Bills introduced into Parliament by the late Mr. W. J. Fox and the right hon. Member for Ashton differed from the measures proposed by Lord Russell, Earl Granville, and Sir John Pakington, in abolishing the Privy Council system and substituting for it local action, yet all pointed in the same direction, to a general system of rating. What was the opinion of the Royal Commission of 1858? They said that the present system never would become a national system of education, and that the only plan was to localize some portion of the expense—

> "The only way, therefore, in which we think this difficulty can be entirely met is by localizing some portion of the expenditure; and we are prepared to suggest a plan by which, at a very small outlay, parishes now unaided would obtain adequate assistance. Such a plan would obviate the inexpediency of throwing so large a sum on the central revenue. The benefits of education are, to a certain degree, local benefits. There can be no doubt whatever that education diminishes pauperism, and that it tends to improve a population in every point of material well-being. These are advantages which directly touch the proprietors of the neighbourhood, and towards the extension of which they should be willing to contribute. If upon the whole this duty is neglected—and our evidence proves that it is fulfilled very unequally—it is the business of the State to provide that one place shall not, by neglecting to bear its own burdens, increase those of others. Nor is this all. If education is to be paid for locally, those who pay for it should have a due share in the control of it. At present our evidence goes to prove that it would diffuse both a greater interest and a healthier tone in education, if other persons besides the clergy took an active part in it."—[*Report of Commission of* 1858, p. 326.]

The latest inquiry on this subject was by the Committees of the House in 1865-6, and, although they made no Report, yet the House had the benefit of a draft Report by the Chairman. What was the conclusion to which the Secretary of State for War (Sir John Pakington) came? He said on this question of education rates—

> "In close connection with this question of local agency is the difficult further question, how far it is desirable to aid the promotion of education by local rates? Several of the most important witnesses have accompanied their approval of local agency with a recommendation of a system, more or less modified, of rating. Mr. Lingen thinks there should be the power, though he does not think it would be necessary 'in every case, to levy a rate;' Mr. Lowe approves rates, though he doubts whether we can now adopt them; Earl Granville and Lord Russell both contemplate rating as part of an extended system. Mr. Kennedy, the Inspector, Canon Robinson, and Mr. Bellairs, the Inspector, all concur in these views, and are of opinion that some power to levy a rate should at least be made auxiliary to the extension of popular education. Your Committee cannot refuse their assent to the reasons advanced by these able witnesses, and while they feel on this point, as in recommending local agency, that it is not their province to submit a detailed plan, they are of opinion that an education rate ought to form part of any scheme for extended assistance."

This was a gratifying proof that the right hon. Gentleman retained in 1866 the opinions he had embodied in his Bill of 1856. Could there be any persons who still maintained that the present Privy Council system could be made effectual for the purpose of supplying the want of education? Much of the hostility expressed by many persons and especially by clergymen against the present system arose from the erroneous assumption that it was a national system, instead of being a system for drawing out voluntary action and aid. Mr. Lingen had compendiously expressed the inherent defect of the present system when he said that a system of education could not be at the same time voluntary, efficient, and universal. It it were universal and efficient it could not be voluntary. If, on the other hand, it were voluntary, it could not be efficient and universal. If they examined its practical working, they would find that one place was getting too much, that another was getting too little, and that a third, which needed it most, was getting nothing at all. It had been argued that the amount of assistance given might vary with the wants of the districts; but who was to settle what these were? There might, perhaps, be little difficulty in doing that in the country districts, where the valuation list of a parish might be vouched to prove the plea of poverty; but such districts as those which lay around Manchester, Birmingham, and London were rich districts, and it was not owing to want of wealth that sufficient funds were not raised there. Then, again, it could hardly be said that the prevalence of local apathy was a good reason for giving increased assistance from the State. The necessary and absurd consequence of such a concession would be that in districts where poverty on the part of the landlords could not be pleaded the Government was to step in and supply the place of private zeal and liberality. The arguments of the Commissioners on this important point are conclusive—

> "Another proposal, somewhat of the same kind, but still more objectionable, is that the assistance of the Government be proportioned to the want; that in the apathetic districts—for we have shown that the apathy, not the poverty, of the landowners is the obstacle to subscriptions—the Government should step in to supply the absence of private zeal or of private liberality. This is to ask that the whole system of the Committee of Council be not merely changed, but reversed; that the grant be proportioned not to the amount, but to the deficiency of local effort; that the carelessness or illiberality of the proprietors be encouraged, by the support of their schools being therefore assumed in a larger degree than usual by the State."—[*Report of Commission*, p. 289.]

And again—

> "Nothing pays better than an acre covered with cottages, or an alley in which each room contains a family. But though there is always a rental amply sufficient to defray, at a trifling expense on the part of its owner, the small annual sum necessary to meet the demands of the Committee of Council, these owners may be careless, illiberal, or indifferent. The districts in the hands of such owners are called the apathetic districts."—[*Report of Commission*, p. 279.]

It being, then, conceded by the most competent authorities that the present system could not be extended so as to meet the wants of the country, different plans had been suggested with that object. Having alluded to the various Bills and measures which had been brought before that House, he would briefly refer to the recommendations made by the Commissioners of 1861. The Commissioners not only expressed the opinion that local agency was necessary, but recommended the formation of county boards, with power to provide funds out of the county or out of the borough rate for educational purposes, with a joint contribution from the State. Their plan, however, made no provision for establishing new schools—a matter which they left entirely to voluntary agency. They proposed a limitation of the joint grants, central and local, so that they should never exceed the fees and subscriptions, or 15*s.* per child on the average attendance; limitations indispensable in a scheme of central administration, but interfering unnecessarily and mischievously with the requisite elasticity of local action. Such limitations would, in fact, have left the country schools exposed to all the difficulties under which they are now suffering; while they would have deprived the great towns of the power of providing for the wants of the poorest classes by means of free schools. With all deference to those distinguished Commissioners, to whom a large debt of gratitude was owing, he was not surprised that when their plan came to be fully considered by the late Government, and especially by Earl Granville and the right hon. Member for Calne, it was rejected. Another scheme had lately been put forward by Mr. Fraser, who was in favour of an educational rate, and proposed that the union should be the area, twelve of the guardians to form a board, to whom should be committed the duty of paying out of the union rate a certain annual sum towards each registered school, the State also making a contribution. The relations of the local board to the schools would be financial only, and the inspection was to be conducted, not by local, but entirely by central Inspectors. Mr. Fraser contemplated a sort of modified conscience clause; but, instead of giving the parent the power to decide with regard to the religious instruction of the child, he transferred that power to the board. It did not clearly appear what was to be the religious character of the new schools, but it would seem they were to be constituted in accordance with one or other of the existing models. Church schools with conscience clauses might be suitable for the rural parishes which Mr. Fraser had under his consideration; but in places where there was a large proportion of Dissenters, or in Wales, where the majority were Dissenters, it would be impossible, if they were to have a national system, that the Dissenting bodies could be excluded from a share in the management of the schools. Mr. Fraser's plan was altogether inapplicable to large towns, which, wherever municipal institutions existed, would object to the management of the educational rate by the guardians. He now came to the scheme which he himself submitted to the House. In the first place, the Bill was a permissive one; and its object was to enable any borough or district to levy a rate for the purpose of maintaining existing schools, or where necessary, of erecting and maintaining new schools. A school committee intrusted with the management of the funds would be chosen in corporate towns from the Town Council, and in other districts from the body of ratepayers; and any school entitled to receive a grant from the Committee of Privy Council might place itself in union with the school committee, and entitle itself on certain conditions to payments on a scale to be fixed by the Bill. The school committee would not be allowed to interfere with the constitution, arrangements, discipline, or instruction, religious or secular, of any united school. The terms of union were first, that the number and qualifications of the teachers should be the same as those prescribed by the Government Code, or by the local regulations of the school committee: the schools should be open to the inspection of the Government and local Inspectors; the discipline and instruction should be in all respects conformable to the rules and conditions for the time being of the Committee of Council, provided always that no child should be required, to learn any religious doctrine, catechism, or formulary which had been objected to by some writing signed by the parent of such child, nor to attend or abstain from attending any Sunday school or place of worship, nor should be refused admission into the school on account of any such objection, or of any such attendance or non-attendance. It was provided that the managers of any united school might on three months' notice withdraw from union. It would be the duty of the school committee to inquire from time to time into the amount of school accommodation in their district, and upon the failure of the inhabitants to provide such accommodation, the committee might, after due delay, proceed to supply the deficiency. These new schools might be either denominational or undenominational, as the committee should judge best, according to the circumstances of the district. Their management would be by the school committee, who, however, might, if they thought proper, delegate it to special managers. All such new schools should, as under the system administered by the Committee of Council, be either in connection with some religious denomination, or should provide instruction in the Scriptures. The schools might be either free, the scholars being exempt from all payment, or aided where the scholars paid fees. The limitation of the amount of aid to an amount equal to that of the weekly fee having been objected to as interfering with the power of the school committee to adapt their aid to the varying wants of the schools, the promoters of the Bill would readily consent to give the fullest discretion to the committee, and Amendments to that effect would be proposed to Clauses 38 and 44. Any parish might appeal to Her Majesty in Council against being included in a district, and a power might usefully be added enabling parishes, or even a single parish, forming part of a union, to constitute a district for the purposes of the Bill. It might be noticed that the Bill omitted to deal with night schools, and he admitted that a great deal might be said in favour of extending aid to those schools. The measure had been framed with a view to avoid giving offence, even to feelings which its promoters might regard as unreasonable, and also with the wish that wherever the voluntary system was effectual, or was likely within reasonable time to become effectual, it should not be disturbed, and that the powers given by the Bill should be put in action only where they were greatly and urgently needed. The advantages of the measure were, then—that it was permissive, that it did not interfere with the constitution or management of existing schools, or with the voluntary system where it had proved sufficient, that it adhered to the Revised Code as to religious teaching, and that it allowed the rate to be applied to the erection and maintenance of new schools, denominational or otherwise. Speaking for himself and abstractedly, he should wish to see public education to be conducted, as far as possible, in denominational schools; because he held it to be as important that a child should receive a full religious education, as that it should receive a full secular one. But they had to adapt their system to the wants of a population unhappily divided in religious opinions; and, therefore, without destroying the denominational system, or unduly disfavouring it, they had to provide the means by which children of different religious opinions should be educated together, without any violation of those opinions. Such, then, was an outline of the Bill. It might be objected to it that it would be found inefficacious. Now, he admitted that for a complete national system much more was required; that, instead of the measure being only permissive, every district ought to be obliged to provide full school accommodation, just as it had to provide for its highways or its poor; and, again, that even such provision of schools could not suffice, unless measures were adopted for enforcing the attendance of children at school. It might be asked why he did not give effect to those principles. His answer was because he wished to carry that Bill and to make an experiment. There would be nothing to prevent the Legislature from afterwards changing the measure from a permissive into a compulsory one. He had no abstract objection to compulsory attendance at school, but he thought it would be premature and injurious to the cause of education itself, if they were now to attempt to enforce that principle in this country. When they had provided schools all over the country, and by the Factory Act and other means had improved the education of the working classes, and awakened among them a greater desire for it, then they might, if they thought fit, apply a compulsory system of attendance against a residuum of 10 or 12 per cent of children who might be absent fromschool; but to apply it now against so large a proportion as 50 per cent appeared to him to be Quixotic and impracticable. Another objection to the Bill widely urged was, that an educational rate was unpopular, unworkable, and would either not be tried at all, or, if tried, would make education hateful. The other day the noble Lord (Lord Robert Montagu), speaking with reference to the Report of the Commissioners on Scotch Education, strongly denounced the principle of an educational rate. He was reported in *The Times* to have said—

> "The system of supporting schools by compulsory taxation would render education hateful to the people. The plan had been tried in Germany, and had signally failed, the attitude of large parts of the population towards the schools being one of apathy and indifference."

He found, on examination, that the words used by the noble Lord were contained in Mr. Pattison's Report on Elementary Education in Germany. Now, as to torpor in Germany, Mr. Pattison certainly said that—

> "The attitude of a large portion of the population towards the school is one of apathy and indifference."

But to what cause did he attribute this feeling? To the extreme centralization and absence of local government. It was to the fact that—

> "The whole school management is conducted by official persons, responsible only to superiors, and, as Government employés, withdrawn from the influence of the public opinion of the locality."

Speaking of Würtemberg, he said—

> "It is not so much a general belief in the utility of elementary education which is wanting as an interest on the part of the inhabitants of each locality in their own school. The school is too merely a teaching machine, too little in contact with the real feeling of the country. They wish the commune to participate more in the management of its own school."

So little was the feeling of the people one of indifference that Mr. Pattison, in the page preceding that quoted by the noble Lord, said—

> "The schooling is compulsory only in name; the school has taken so deep a root in the social habit of the German people that were the law repealed to-morrow, no one doubts that the schools would continue as full as they now are."

In Prussia, Mr. Pattison stated—

> "That the disposition of the communes to take an active interest in their schools is decidedly on the increase."

Mr. Pattison said—

> "While in Dresden the anxiety of the parents is not to evade the obligation of sending their children to school, but to get them in at the earliest admissible age; and, so far from regarding the half-day school as a boon, they are disposed to complain that they are robbed of half their schooling by it."

Again—

> "In Chemnitz, the centre of the cotton manufacture, the Inspector assured me that he could take upon himself to say that there were no children within the school age who were not attending school in some form or other."

Mr. Pattison reported that, with few exceptions, all the German population attended school with varying degrees of regularity. He gave the total number of school age as 2,943,251; at school, 2,828,692, leaving 114,559. From that remainder must be deducted those receiving instruction at home, the sickly, deficient, &c., leaving a few migratory children to be accounted for. The estimates made of those who cannot read and write was from 2 to 4 per cent of the entire population. Henri von Sybel, the historian, had recently asserted that out of 600,000 soldiers less than 20,000, or about 3 per cent, were unable to read and write. But while, according to the noble Lord, the attitude of the German people towards education was that of apathy and indifference, that of the United States, as might be expected from their more impulsive and energetic character, was one of active hostility, of wrangling, bitterness and animosity. Mr. Fraser—a man of remarkable ability and the utmost honesty—had reported on the schools in the United States; but one could not help observing that, while commenting on the stirring and growing population of the United States, his mind turned too often to the pleasant slopes of Berkshire; and that spirit was even found in the letters which he had addressed to *The Times* since his return to this country, because anyone who read them would see that his recommendations were specially and primarily adapted to a rural population. However, in his general summary of the state of education in America, Mr. Fraser said—

> "The spirit of the work produced under this system, both in teachers and pupils and the discipline of the schools, are both high."

He went on to say—

> "I cannot disguise from myself that the average American, and particularly the average American of the mechanic or labouring class, stands on a vantage ground in respect both of knowledge and intelligence, as compared with the average Englishman; and I feel forcibly that we denominationalists and voluntaryists must throw ourselves much more heartily into the work, and make our schools much more thoroughly efficient than we have yet done."

Then, did a rating system paralyze voluntary effort in the United States? On that point Mr. Fraser said—

> "What we can borrow from America, remembering the difference of our social circumstances, and the different principles that animate both our ecclesiastical and civil polity, I can hardly say. The thing, however, which I should like to borrow without revolutionizing our institutions is the noble public spirit, almost universally prevalent, which considers that to contribute to the general education of the people is the first duty, as of the commonwealth at large, so of every citizen in particular; and which places religion, morality, and intelligence in the forefront of the elements that constitute the strength and guarantee the prosperity of a nation."

But Mr. Fraser did not scruple to condemn where he thought condemnation was deserved. He pointed out four distinct defects in the American system—namely, First, the management of the schools by townships instead of by districts of larger area; secondly, the insufficient training of the teachers; thirdly, the want of independent inspection; and fourthly, the want of individual examinations. The present Bill, however, it would be observed, met every one of those objections. But it was said that the Bill would fail on account of the general dislike and opposition to an educational rate. If so, no harm at least would be done, and the voluntary system would be untouched. But what grounds have we for entertaining such an opinion? Let us look to Upper Canada, a colony almost exclusively British, and animated by the same feelings and repugnances as ourselves. There the adoption of the rate, whether by the county or municipality, or by the district, is strictly permissive; yet it has been so generally adopted, that only a very few places adhere to the voluntary system, and in these the inferiority of the schools is marked. The subject is of so much interest and importance, as exhibiting the working of a voluntary rate in a cognate country that he would venture to trespass on the patience of the House by reading to them extracts from the Report of Dr. Ryerson, the well-known and able Inspector of schools in Upper Canada—

> "The law does not prescribe any particular kind of school in cities and towns, nor any particular mode of supporting them. The electors in each of the municipalities, through their elective boards of trustees, are empowered without any restriction 'to determine the number, kind and description of schools which shall be established or maintained in such city or town.' The board of trustees may establish and maintain Church of England, Roman Catholic, Presbyterian, Wesleyan, Baptist, or Congregational schools, and appoint a Committee of three from each Church to the immediate care of the school designed for its members. . . . . Moreover, I may state still further, that the law does not compel any municipality to adopt or maintain the school system at all. Any or every city, town, or incorporated village and township in Upper Canada, may relinquish the public school system, and leave education to the voluntary system."

After quoting some instances in which the voluntary system prevailed to the manifest injury of education, Dr. Ryerson proceeds—

> "But if other municipalities have pursued a different course, and erected good school houses, and properly furnished them, and employed good teachers and established good schools, it is because they have chosen, and not because the law has compelled them to do so. . . . . If the people in their several municipalities have actually increased their self-imposed school taxes, during the last few years, at the rate of nearly 100,000 dollars a year for the payment of teachers alone, and increased their self-imposed taxes for the erection of school houses, the purchase of school apparatus, and libraries in corresponding

> ratios, so as to exceed in the amount of their self-imposed rates in proportion to population, the old and great State of New York, where the school tax is imposed by the State Legislature, and collected by the State tax-gatherer; what does the fact prove but the amazing capabilities of our municipal system, and the hold which it has upon the minds and hearts of the people. The school, like the municipal system, has become a part and parcel of the local self-government rights of the people, and he must be a bold man who will attempt the invasion of them."

Now what have been the practical results of this system? The estimated population of Upper Canada in 1863 was 1,500,000. The number of children between five and sixteen was 412,367; the number enrolled on the school books was 339,817. To these must be added 20,991 of other ages, making a total on the books of 360,808, and leaving 44,971 of the children unaccounted for. We ought to read with shame and humiliation the passage in which the Report states, "the painful and humiliating fact of 44,971 children not attending any school." True, the average attendance in Canada was only 38 per cent, while in England it was 76 per cent; but in England the great majority of school-children were below twelve years of age, whereas in Canada they ranged between five and sixteen; and, moreover in a country so sparsely peopled as Canada, and where the demand for labour was so great, it was not surprising that the attendance at school should be far less regular than in England. But let us take for the purposes of examination and comparison one Canadian town. Hamilton had in 1861 a population of 19,096. The number of children on the school register was considerably upwards of one-sixth, being 3,549—

> "The common schools (says Dr. Ryerson) are the pride and boast of the city of Hamilton. Hamilton has erected a large central school for the higher classes and larger pupils, and primary school houses in each ward for the smaller children, who are drafted and promoted to the central school as they advance in their studies. Hamilton has also adopted the normal and model school system, by employing a head-master and teachers, all of whom have been trained in the model school. Hamilton therefore furnishes an illustration of the provincial system in its perfection."

If such are the fruits of the voluntary rate in Canada, why should we accept the dismal and humiliating prophecies of its failure in England? What reason is there in our institutions or our national character why every town of 20,000 inhabitants should not take a pride in possessing educational establishments equal to those of Hamilton? He now came to the religious objection to the Bill. It was impossible with our mixed religious denominations among the working classes in Birmingham, Manchester, Staffordshire, and other populous places to adhere to the denominational system. In Wales, where probably nine out of ten of the working classes belonged to Nonconformist denominations, the British schools, which were undenominational, widely prevailed. Would anybody venture to say that the Welsh people were irreligious? The fact was that no portion of Her Majesty's subjects were more regular in the performance of all their religious duties, and yet Wales was a country of undenominational schools. Taking Prussia as an illustration of the way in which the system worked, he found that it was laid down by the general code of 1850 in that country, which was really a repetition of the rules framed by Frederick the Great, that—

> "No one may be denied admission to any public school on account of difference of religious opinion. . . . . Children who are to be educated (in accordance with the laws of the State) in a different confession from that taught in the public school cannot be compelled to attend religious instruction given in the same."

Education in Prussia was, no doubt, generally denominational, with a conscience clause in those cases in which the population of a district happened to be wholly Protestant or wholly Roman Catholic; but mixed schools existed there also to a great extent. Admitting that there was a good deal of scepticism in Prussia among the upper classes, he thought the feelings of the lower classes showed a strong religious tendency, as was evidenced by the conduct of the Prussian soldier. Indeed, nothing had struck him more forcibly, in reading the various accounts of the late war between Prussia and Austria, than the statements showing the deep religious convictions with which the Prussian soldiers were imbued. It was said, with respect to one division, that nine-tenths of the soldiers attended at Communion; and it was observed that, since the days of the old Ironsides of Cromwell, no men were probably more deeply impressed with the religious sentiment. Yet these soldiers were instructed in schools, such as he sought by his Bill to promote. He wished to God that he could believe that the English people were, on the average, as religious and as moral as the population of Prussia. Mr. Fraser, who was a great supporter of the denominational system, dwells forcibly on the absence or incompleteness of religious teaching in America. ; but what was the general result produced, as described by himself?—

> "I am afraid that we in England, in our zeal for 'denominational education,' lay too much stress upon the adjective, too little upon the substantive. We seem to care more for the connection of our schools with particular religious communities than for the fruit they really produce. We are too often content to hear that religious instruction is given, and do not pursue the inquiry far enough to ascertain whether it is given intelligently, by competent teachers. I confess to the conviction growing more and more in my own mind, strengthened, too, by what I have heard and seen in America, that what we need more of in England is intelligent education—a real quickening of the minds of the people. And I say this quite as much in the interests of religion as at the prospect of political changes."

Mr. Fraser repeatedly preached to American congregations, and he took the attention with which he was received very naturally as an indication of the strength and intelligence of the religious feeling of those whom he addressed. On that point he wrote as follows:—

> "During my sojourn in America I was invited half-a-dozen times to preach in the churches. A preacher can tell pretty well when he is holding the attention of his hearers. And it must be a satisfaction to a preacher in America to feel that he can hold his congregation when he has anything worth the listening to. Nowhere is the pulpit—in spite of occasional extravagances—when in able hands a more signal instrument of power, exercising its highest prerogative in convincing the reason, and by manifestation of the truth commending itself to every man's conscience in the sight of God."

What stronger evidence, he should like to know, than that could be given of the advancing intelligence of the American people, and of the fact that they were, at the same time, imbued with religious feeling? But, perhaps, the strongest case of all, in support of the views for which he was contending, was to be found nearer home. The national system of education in Ireland was, at its foundation, a system of united secular and separate religious education. This had been gradually and partially superseded by a system which might be fairly called denominational, *plus* a conscience clause. There was also a large number of mixed schools; so that, with respect to religious teaching, the system was almost precisely that which the Bill would, so far as it operated, establish in this country. That system had been denounced as irreligious and godless; and even in its present modified form, he had heard it taxed by an eminent Roman Catholic Prelate, as tending to produce religious indifference and scepticism. But there was not wanting conclusive evidence of the injustice of this charge. The House must bear in mind that, while the population of Ireland had decreased by about 2,500,000, the attendance in the national schools had annually and steadily increased. A friend of his had sent him a short time ago an address which had lately been delivered by one of the ablest and most pious Roman Catholic Prelates in Ireland—he meant Dr. Moriarty, the Bishop of Kerry, —on the disendowment of the Established Church, which contained the following passage:—

> "We have no reason to fear the defection of our people. We see them every day growing in faith and in the practice of religion. When our population was nearly double what it is now, we had not half the number of monthly and weekly communicants, nor were our Sunday congregations more numerous than they are at present."

The House had listened a few days ago to a very vehement denunciation, he would not say of the Scotch system of education, but of the system of rating, or, at all events, of the extension of that system to the whole area of Scotland. Upon that point he hoped he should be permitted to read an extract showing the opinion entertained by Lord Macaulay of the law, which, if it did not found, greatly extended the system of rating in that country. Lord Macaulay said—

> "But by far the most important event of this short Session (1696) was the passing of the Act for the settling of schools. By this memorable law it was, in the Scotch phrase, statuted and ordained that every parish in the realm should provide a commodious school house, and should pay a moderate stipend to a schoolmaster. The effect could not be immediately felt; but, before one generation had passed away it had begun to be evident that the common people in Scotland were superior in intelligence to the common people of any other country in Europe. To whatever land the Scotchman might wander, to whatever calling he might betake himself, in America or in India, in trade or in war, the advantage which he derived from his early training raised him above his competitors. If he was taken into a warehouse as a porter, he soon became foreman. If he enlisted in the army he soon became sergeant. Scotland meanwhile, in spite of the barrenness of her soil and the severity of her climate, made such progress in agriculture, in manufactures, in commerce, in letters, in science, and in all that constitutes civilization, as the Old World had never seen equalled, and as even the New World has scarcely seen surpassed."

Now, it was because he wished to see England rival Scotland in the education of her children that he desired at least to place it out of the power of the inhabitants of any district in the country to say that they had not the power to educate their population. Having said this much, and he begged to thank the House for the patience with which they had listened to him, he would ask the Government how they meant to deal with his Bill? He was, he thought, entitled to appeal to them either to accept it, or to undertake during the Recess to frame some measure of their own which would produce similar results. If they were prepared to adopt neither alternative —an announcement which he should be very much astonished to hear from any member of an administration of which Sir John Pakington and Lord Stanley formed a part—then he should feel compelled to take the sense of the House upon the present occasion. He was, he might add, sorry that his right hon. Friend the Secretary of State for the Home Department should have committed himself in anticipation to opposition to the principle of the Bill. Occupying the high post which he did, he hoped the right hon. Gentleman would not regard himself simply as a Member for the University which he represented, or as the upholder of the interests of the Church to which he belonged, but as a Minister and a Member of Parliament representing the whole country, who would not be faithful to his duty if he did not postpone all minor interests to those of the community at large. There were, he well knew, honest and rational objections to the system of rating, arising from the narrowness of the basis on which the rate was levied, and the consequent inequality with which owners of different sorts of property was affected. He admitted this inequality, and would be glad to see it removed or reduced. But in the meantime the rate was the only available local resource. He could not, he might add, bring himself to think that the opposition to the Bill was based solely on an objection to the principle of rating. It was rather due, he believed, to a narrow desire to perpetuate Church supremacy—a desire which in times past had proved most injurious to the Church, and the departure from which had invariably resulted in communicating to her additional strength and vigour. He hoped that during the time which had elapsed since his right hon. Friend last addressed the House on the subject he had reconsidered it, and that if he was not prepared to accept the Bill he would, at all events announce to the House that he would next Session introduce some measure of a similar character. If such an announcement were made on behalf of the Government he should be glad to withdraw the Bill; but if not he must press his Motion for the second reading to a division, in order that the country might know the position, with reference to the House and the Ministry, in which the question really stood.

Moved, "That the Bill be now read the second time."—(*Mr. Bruce.*)

MR. ALGERNON EGERTON, in seconding the Motion, said, that, after the able speech to which the House had just listened, it would be unnecessary for him to trespass long upon its attention. The question at issue was whether the voluntary system, as it at present existed, supplemented by the Government grants, was sufficient to meet an evil which everybody admitted called for a remedy. In dealing with that question, he could not do better than submit to the notice of the House the case of Manchester, because it was in that city that the Bill, if passed into a law, would in all probability, be first put into operation, inasmuch as a strong feeling prevailed there in favour of the rating principle. In Manchester, for some years past, a society, known as the Education Aid Society, had been at work in the endeavour to provide school accommodation for the destitute children of the place, who wandered in such numbers about the streets. The result of the inquiries made by the Society went to show that the voluntary system had entirely failed to meet the requirements of the case, even where it had been tried to the fullest extent; and they accordingly raised funds by subscription to provide the means of additional education. It appeared from their Report that, during the three years of their existence ending with 1866, they had issued 27,163 grants, the number of grants current or unexpired at the end of December in that year being 20,915, while the number of children attending school was only 9,480, or not more than 35·30 per cent of the number receiving grants, and that not owing simply to the poverty of the parents of those children, but to their apathy and indifference in regard to sending their children to school. In 1866, it was also stated, 39,162 children were visited at their homes, of whom 13,256 were above twelve years of age, 17,520 between three and twelve, and 8,386 under three years. Of the 17,520 it was ascertained that there were 1,414 at work, 7,679 at school, and 8,427 neither at school nor work, running about the streets utterly neglected. Upon further investigation it was discovered that of these 8,427 children, 4,336 belonged to parents who were able to pay for their education. It was clear, therefore, that the machinery of the Educational Aid Society could not reach these children. He believed the number of children of school age in Manchester and Salford in 1865 was at least 80,000 — some placed the number as 100,000—while the number of scholars on the books was 55,000 ; the average attendance 38,038—so that the number not attending school amounted to 40,000. These statistics proved that there were in the district to which he was referring an enormous number of children who were completely neglected. The case, however, was even worse in other parts of Lancashire, in which the number of children attending day schools was only 1 in 14, whereas in Manchester it was 1 in 10. The committee of the Education Aid Society further stated in their Report, that it was their deliberate and unanimous conviction that such was the apathy and indifference of a large portion of the parents that nothing but compulsion in one form or other would bring their children within the pale of education. Now, it was impossible, perhaps, to enforce any system of compulsory school attendance ; but, if it could be done, a great advantage would be conferred on the country. The right hon. Gentleman (Mr. Bruce) had clearly shown the justice of that view in the reference which he made to Prussia, where the attendance was compulsory. The voluntary system, at all events, had, in his opinion, failed ; and how far the present Bill, which was permissive, would provide a remedy for the evils to which he alluded it was difficult to say. It was not to be supposd that its provisions would be largely adopted in the rural districts ; but the real want of education was felt not so much there as in the towns in the manufacturing districts. He did not mean, on that occasion, to argue the question of the conscience clause, beyond stating it to be his opinion that it had become absolutely necessary to insert it in any general scheme for education. The Bill, he might add, would, in no degree, disturb the denominational system, and he hoped the House would receive from the Government a favourable assurance as to the course with respect to it which they meant to pursue. For his own part, he looked upon some such legislation as being imperatively required to meet not only the case of South Lancashire, but that of other districts throughout the country of a similar character.

Mr. HENLEY said, the speech of the right hon. Gentleman the Member for Merthyr Tydvil (Mr. Bruce) had opened a question which was of the greatest interest and importance, and which demanded the most serious attention of the House. It was quite clear that the concluding observations of the right hon. Gentleman were not accidental ; and the observations of the hon. Gentleman (Mr. A. Egerton) in seconding the Motion, showed that the matter had been well considered. The statements which the right hon. Gentleman had made as to the number of children who were left totally without instruction was not only very unsatisfactory, but very painful — there could be no difference of opinion on that point—he must, however, observe, without following the right hon. Gentleman through the statistics which he had produced, that he had never heard a speech which so singularly failed as his to grapple with the facts to be relied upon in support of the measure which he brought forward, or a speech from a Seconder which so completely disposed of the necessity for the proposal which he advocated. Some general statistics had been entered into bearing upon the country at large, while the cases of London, Manchester, Birmingham, and portions of Staffordshire had been specially referred to, and there had also been a liberal production of figures as to the number of children not attending school, in London in particular ; but then there was a great absence of information as to the number of schools in the metropolis which were not filled. Now, inasmuch as the Bill was meant to provide schools, and, of course, schoolmasters, that point was one to which importance attached. It was not dealing fairly by this country to use statistics relating to Prussia, which certainly occupied the foremost place in Europe with regard to education, and by a rhetorical slip to make these statistics represent the position of the whole of the Continent, in that respect drawing a comparison unfavourable to England. No doubt, a great part of the population who ought to be at school were not at school; but it was desirable to know the extent of school accommodation with reference to the number of childen. The

Report of the Duke of Newcastle's Commission showed that, speaking generally, school accommodation was not wanted. Now, it was hardly fair to point out the deficiency in the number of children sent to the schools without referring to the actual extent of school accomodation. No information had been given as to the general school accommodation afforded throughout the country, although the number of children not receiving education had been pointed out. Now, with respect to the state of particular towns. The Council had been urged to make their system more elastic in London—to give it less of the Procrustean character. The right hon. Gentleman spoke of the Manchester system; but he did not give a single statistic to prove the want of school accommodation. When that Manchester system was brought before the House of Commons years ago, it was stated that there were plenty of schools, but that the children would not go to them. Was that so now? The hon. Member who seconded the Motion gave an account of a great number of benevolent people in Manchester who subscribed to pay for the schooling of children; but it appeared that only half of those paid for went to school. Now, that showed that the children did not go to school, and did not prove the want of school accommodation. From Birmingham there were no statistics showing want of school accommodation. The right hon. Gentleman said some of the schools were placed in inconvenient positions; but what did the present Bill propose to do? It would break up all the existing systems in the country; and then how could the wants of rural districts, with little knots of population scattered here and there, be met by the establishment of some great central school? In such a case the same inconvenience as was experienced at Birmingham would be felt to a greater degree throughout the rural districts. The Bill, if not so intended, would, nevertheless, most certainly break up all the existing voluntary and denominational systems in the country. If, as was stated in the Report of the Duke of Newcastle's Committee, the children did not go to school because the schools were not "handy," what would be the case in the rural parishes? There was no doubt that a vast number of children did not go to school; there was no doubt that many children who went did not learn; there was no doubt that in many of the schools furnished with all the appliances of the Privy Council, many of the children could neither read nor write. Canon Moseley told them, as a parting thought, that an educational machine had been started, of such excellence that the people would and did get out of it all they cared for, all they wanted, in a very short time; and if this went on, and the system was not clinched into them, in a short time the children would be less educated than now. The right hon. Gentleman said this was the effect on the annual-grant schools — the schools that they had abused till they were black in the face for not supporting the system which, according to the right hon. Gentleman, was not successful in attaining the end in view. He believed that Canon Moseley's observation was founded on common sense. He believed that the amount of education which the people wanted was easily picked up, although children often forgot very soon what they had learned at school. Therefore, he did not think that the statistics which had been quoted in favour of the Bill were conclusive; but he should want much more information than he at present possessed, to demonstrate that the present system was a failure. The right hon. Gentleman said they had not got all the children to school; but he had not shown that the Bill he proposed to introduce would remove the defect. At the end of his speech the right hon. Gentleman made use of ominous words to the effect that the result of the measure would be to destroy the bigoted and narrow views of the Church of England with respect to education.

Mr. BRUCE explained, that what he said was that he hoped the opposition to the Bill would not proceed from narrow views to perpetuate Church supremacy.

Mr. HENLEY said, he had never heard words used in support of any scheme of education which gave him such pain. At present all religious bodies in this country were going hand in hand together without jealousy, and in honest and honourable rivalry, trying to teach what they believed to be right and proper, and he thought that nothing could be so unfortunate as the language which the right hon. Gentleman had used. The right hon. Gentleman said that what was wanted to be brought in, and what the Bill would bring in, was the Irish system. ["No!"]

Mr. BRUCE said, that the last thing he should desire would be to introduce into this country the Irish system. All that he had said was that, in spite of the diminution of population, the number of scholars in the National Schools of Ireland had increased, and after quoting a passage in which Bishop Moriarty stated that the number of communicants had increased, he had remarked that the system which had been denounced as "godless" had not led to the evil results which had been apprehended by some.

MR. HENLEY nevertheless believed that the right hon. Gentleman's argument went to show that the present Bill would bring about something very similar to the Irish system. Well, a large number of the schools were Church schools, and it was impossible not to foresee that, if the Bill passed, every school at present in existence must be knocked up. It was impossible it could be otherwise. Suppose a union to consist of thirty parishes, twenty-five of which had schools, and five had not. The Bill would tax those parishes which maintained their schools equally with those who did not. The school committee under the Bill was to be elected by the town council, which was a body chosen by the burgesses and ratepayers; but in country unions the Bill did not give the power of election to the Board of Guardians — a body equally elected—but to the ratepayers at large. He thought that that distinction could hardly have been drawn without some object in view; and he observed that, by the provisions of the Bill, where a majority of votes was given against the adoption of the Act, an annual attempt to procure its adoption was permitted to be made. This was a very pleasant sort of contest, certainly, for districts to be subjected to—not to say anything of the injustice of taxing all persons in a district, who, at their own expense had been maintaining schools, for the purpose of supplying the deficiency of other places in the district. All those persons now maintaining Church schools would, whenever the Bill should be adopted in their districts, be taxed for the maintenance of other schools, and would not be able to receive a single farthing from the general school fund, unless they gave up a principle which they deemed to be vital. It was unjust enough that at present small schools could not get a grant from the Privy Council because they could not afford to pay a certificated teacher; but it was still worse, if, after inducing persons to lay out their money in establishing a system of religious education, Parliament were to compel them to take a number of children into their schools, and, after teaching them to read and write, then to turn them loose on the world without having given them any of that instruction necessary for the formation of right principles. We were told —years back, but not many years—that the people were steeped in vice and ignorance. Well, education was resolved on—Parliament insisted that the teaching should be religious, and that the Bible at least should be read daily in the schools. Now, it was proposed that this should no longer be compulsory. [Mr. BRUCE: In schools receiving public grants.] It was a condition precedent that no school should receive a farthing from the State unless its supporters violated their consciences. The right hon. Gentleman had quoted documents to show how soon things passed out of the minds of children; and as for the children who were not to receive a religious education he had little to say, except that, perhaps, they would not be much worse off if they went to no school at all; but he had a great deal to say about the strain put on the consciences of clergy and laity, who, with respect to the children they had under their hands felt that they could not do their duty to God or man without teaching something more than reading and writing. Then he asked the House to note the effect which this plan would have on other children in the schools. Having all been boys once, they all knew how boys canvassed the sincerity of those engaged in teaching them; and if the children in a school saw four or five or more children allowed to quit the school when religious teaching commenced, was it to be supposed that they would believe in the sincerity of their teachers? Or what would they think of the importance of the instruction from which a portion of them were excused? He regarded this as legislation of the most cruel kind; and it seemed to him that the natural effect of this Bill, if passed, would be to unsettle everything and settle nothing. It was quite certain that no persons would spend a single shilling in doing anything for schools should the Bill pass, because they could never be sure that they would not have this Act brought down upon their heads. It was not a supplement to, but the utter destruction of, the voluntary action. He looked at it, of course, more in reference to the country districts, and in those districts it was nearly impossible that such a Bill could work. His great objection to the Bill was the same as that which he had always felt to all rating schemes, which, if adopted, would in a very short time lead in this country, as they had led in America, to secular education. The hon. Gentleman who spoke last (Mr. Egerton) told the House that eight or nine years ago a great number of benevolent persons in Lancashire made strenuous efforts to introduce secular education, and that, having failed, they were now cordial supporters of the present Bill. They were doubtless its supporters because they knew that it contained within its four corners the elements which must surely bring about their favourite scheme of purely secular education. The right hon. Gentleman (Mr. Bruce) had said a great deal about Scotland and America. With regard to Scotland, the rating system, when introduced into that country, was not a general system, but a parochial system. It was also a religious system, and that was a matter which lay at the root of all these questions. With regard to America, the early occupiers of the States there were eminently a religious people, and they established rate schools, never dreaming that there would be any difficulty about religious teaching. Subsequently, however, differences crept in, and they were obliged to obliterate from the schools every mark of religious education, and the education in the common schools of America was now purely secular. If that had been the result there of the rating system, why should not a similar result be anticipated in this country? He did not believe that, in a country like this, where differences in religion prevailed, and where the several sects were equally sincere, children could be brought into common schools, unless all religious teaching were eliminated. Therefore, he had always been a friend to the denominational system, and he did not wish to see it broken down. And it must be remembered that, except in those schools, there was no adequate means of teaching religion to the poor; for though he was fully conscious of the value of what was done in the Sunday schools, it was equally certain that these efforts could not be made adequate to the religious education of the poorer classes. He hoped the Bill—which would not, as he believed, commend itself on its general merits to the people of this country—would fail to receive the sanction of a second reading. He thought it would be much wiser to go on in their present course than adopt the scheme of this Bill. If the Privy Council would only make their system more elastic, although no doubt it would occasion a little more trouble, they might meet many of those exceptional cases which could not be met by adhering to a hard rule. In a matter of this kind, where the whole community was concerned, it would be more just that half should come from the general resources of the State than that the burden should fall on the real property of the country. If this Bill passed, he had no doubt that burden in some few years would amount to *3d.* or *4d.* in the pound, which he did not think would be just. He did not see why those possessed of money, trading capital, and income, should go scot free, while the whole burden fell on the owners of real property. These were some of the reasons which induced him to think that the House ought not to sanction this measure. He did not know what were the views of the Government upon the subject, but he thought so grave and important a question should not be in the hands of any private Member. If there was any private Member who, from his experience and his previous official connections, was authorized to deal with the subject, it was, no doubt, the right hon. Gentleman (Mr. Bruce); but he did think any possible gain which might arise from the adoption of this measure would be a thousand times counterbalanced by the confusion it certainly would introduce, and the overwhelming influence it would have hostile to existing schools in the country. Nor was there any occasion for a measure of this description, for any one who compared the present position of the country in regard to education with its position twenty or thirty years ago, would be convinced that our progress was a sound and steady one, that great improvement had already taken place, and that great changes for the better were still going on. He hoped, therefore, the Bill would be withdrawn.

Mr. W. E. FORSTER hoped that as his name was on the back of this Bill, and as he felt deeply interested in its success, the House would allow him very briefly to state the reasons why he supported it. He was not at all alarmed by the objections of the right hon. Gentleman (Mr. Henley) much as he in common with every other Member in the House, admired his earnestness, his ability and sincerity. The alarms of the right hon. Gentleman were without foundation. For what did the promoters of this Bill mainly seek? The evils of ignorance were so deeply felt in the various localities which would be most affected by the Bill, that they were admitted on all hands, and all that the promoters of the measure asked of the Legislature was that they would allow them, if the community in which they lived agreed, to undertake to remedy these evils—to allow them, as a community, with the general consent, or the consent of a majority of them, to do their duty. The Bill, therefore, provided that it was only in those cases where a majority of the inhabitant ratepayers were in favour of bringing the Act into operation that it should take effect. He was inclined to believe that national education was much more nearly at a stand-still in this country than the right hon. Gentleman imagined. It was quite true that the quality of the education given to those who accepted it was better; but he doubted that there was a proper and legitimate increase, in comparison with the increase of the population, of those who availed themselves of the advantages of the present system. He had thought it possible that Manchester and London statistics were too much picked; and he had therefore requested a very hardworking clergyman at Leeds, whose life had been devoted to education, to make an entirely indifferent visitation. He had accordingly taken ten streets inhabited by the poorer population, but not the special poor, of Leeds, whose rent varied from 2*s.* to 2*s.* 6*d.* in some streets, and from 3*s.* to 4*s.* in others. He had every house visited, and out of about 800 houses there were 511 with 1,023 children between three and twelve, of whom 541 only were at school during the week, the others being absent. There were only 62, or about one-eighth absent, because they were at work; 30 absent from sickness; 276 were absent from alleged poverty; and only 232 were said by their parents to read and write. With such facts before them they were right in supposing that they were not making much way. In one respect they were making no way at all. In the large towns the dangerous classes were increasing. That "residuum" as it had been called, was not diminishing; and what the promoters of this Bill wanted was the means of dealing with it. It had lately been stated that England did not hold the position she should have held in the Paris Exhibition. There might or might not be exaggeration in some of the statements on this subject, but there was one extract he should like to quote from the testimony of one of the jurors, Mr. A. J. Mundella, of Nottingham, who was peculiarly qualified to speak as to the present state of English and Continental education. He said—

> "The branch of industry with which I have been connected for thirty years past is the manufacture of hosiery. I am the managing partner of a firm employing 5,000 working people, with establishments in Nottingham, Derby, and Loughborough, employing more than four-fifths of the number, and with branches at Chemnitz and Pausa, in Saxony, employing about 700 persons. I am of opinion that Englishmen possess more energy, enterprize, and inventiveness than any other European nation. The best machines in my trade now at work in France and Germany are the inventions of Englishmen, and in most cases of uneducated workmen; but these machines of English invention are constructed and improved by men who have had the advantage of a superior industrial education. In Nottingham where the best machinery in the world is required and used in the production of hosiery and lace, there is no such thing as industrial education, and greatly as it is to be desired, I am acquainted with many good mechanics and superior workmen to whom it would be of no service, inasmuch as they can neither read or write. In Saxony, our manager, an Englishman of superior intelligence, and greatly interested in education, during a residence of seven years, has never yet met with a workman who cannot read or write; and not in the limited and imperfect manner in which the majority of English artisans are said to read and write; but with a freedom and familiarity that enable them to enjoy reading, and to conduct their correspondence in a creditable and often superior style.'

This was a very great evil with regard to the industrial classes, and such was the state of things in Manchester and other large towns, with which the promoters of this Bill, whether as philanthropists, men of business, or citizens caring for the good of the country, had to contend. There was no other mode of dealing with it than by this Bill. They were of opinion that if they were permitted to persuade their fellow-townsmen to make use of this measure, better education would be the result. Who were these men? Not theorists, but hardworking, practical men; not men belonging to any particular party—both Liberals and Conservatives; not men of any peculiar religious views—both Churchmen and Dissenters. They were not men specially favourable to secular education; nothing was more unfair than so to represent them. The fact was the right hon. Gentlemen had a great dislike to that term "secular;" and these men were said to be in favour of secular education. But it was a great mistake. They had only been for the secular system because they saw no other means of attaining their object. But they had given up those particular views, thus showing by the sacrifice of opinion how earnest they were in the work they had undertaken. Why did they think they might gain their object in this way? Because they saw that the present system was defective in its nature. They had worked long enough with the hap-hazard system. It was entirely unequal—it cast the burden on the willing horse; and it was incomplete, for there was no organization, no means of gauging the evils for which a cure was wanted. They never would get the better of these evils till they fastened on the community the duty of looking after the education of the people. The community, they believed, were ready to undertake that duty, and all they wanted was the machinery of this Bill to enable them to accomplish it. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) was mistaken in supposing there would be any difference between the voters in the towns and the voters in the counties, because, in both instances, they would be the ratepayers; and he was also equally mistaken as to its application to the country parishes against their inclination, because the 51st clause would meet such a case. The great objection of the right hon. Gentleman to the Bill appeared to be his fear that it would uproot the existing system; but, so far from wishing to do that, the great desire of those who were chiefly interested in promoting this Bill was to make use of the present existing machinery. There was no desire to get rid of denominational education—the great want was not schools, but their support, and to free the supporters of those schools from the irksome task of begging for subscriptions by giving aid to these schools on condition that they give good secular education. As to the rating system, it was not, he admitted, very likely that it would take speedy root in country districts; but it would at least draw the attention of the ratepayers to the subject, and it was something to have so important a question fully discussed in the districts where the want was felt; but, so far from uprooting the existing system, it was provided in the Bill that no school should be established in any parish in the vicinity of any denominational school; and that, even where there was such school, twelve months' notice should be given of the intention of the promoters to establish a rating school, in order to give an opportunity to the promoters of denominational schools to take up the matter and establish the school themselves. The promoters of this measure, therefore, clearly had no desire to get rid of the denominational schools, but only to make use of the existing machinery in order to supply districts with schools which were at present wholly without the means of education. Their suggestion was, that where the funds could not be raised for the support of existing schools, the municipality should be empowered to take them up and propose a rate for them, thus incorporating them into the proposed system. At the same time, that could only be done with the consent of the managers, and in such cases the religious teaching would not be destroyed, because the secular committee would have no right whatever to interfere with the denominational teaching, and the school-house and building would still be at the disposal of the clergyman on Saturday and Sunday for the purpose of giving religious instruction. The right hon. Gentleman seemed to think the adoption of this Bill would result in the secular system. That, he repeated, was not the object of the promoters, and it did not come within its provisions. It granted to every denomination absolute freedom with regard to religious teaching; but a good secular education was essential to aid being granted to any school, and there was also this condition, that it must have a conscience clause. Now, the withdrawal of children under that clause had been greatly and enormously exaggerated. In Swansea, within a given time, out of 12,000 children, four only had been withdrawn. [MR. HENLEY: I should have thought none.] Then what was there to be afraid of? The real fact was, that the conscience clause difficulty was a theoretical and not a practical difficulty, and it was more a political difficulty than a religious one. The conscience clause had worked well in Scotland for many years past, because they had managed there to satisfactorily solve the difficulty. It was also an exaggerated notion that the common schools of America had become secularized, nor would it be the case in this country. Many clergymen in England, who entertain strong views upon the question of education, had stated their opinion that the time had come, from their being so overworked, that they could no longer undertake the secular as well as the religious education of the poor; and Dr. Hook had stated the better way would be to give the children secular education for five days in the week, and then devote the

Saturday and Sunday to religious teaching, and that by leaving the secular teaching to the schoolmaster, the clergyman would be put in a better position than he was at present. The conscience clause difficulty was one which was made in that House, rather than by those who were engaged in the practical work of education. If the National School Society would leave the school masters and school managers alone, if the Bishops would leave the hardworking clergy alone, and if politicians and Parliament would leave the friends of education and the people alone, the conscience clause difficulty would soon come to an end. Education, without teaching a man the fear of God and his duty to his neighbour, would be of very little use. To make a man moral, they must reach first his heart by making him religious, and there was no intention on the part of those who brought forward this Bill to discourage religious teaching. He agreed with the right hon. Gentleman that it had become a question whether in rates generally they should impose their heavy burden on landed property only, as they had been in the habit of doing. If some hon. Member could bring forward a plan by which the rating area could be extended, it would confer a benefit upon the country. It had been said that this Bill was only an experimental one, and he readily admitted that it was quite possible that, when Parliament found that the system worked well in the large towns, they might extend its operations over the whole country—a consummation to which he looked forward. This, however, could only happen in case of success, and success was a fact which Parliament would have the necessity of taking into account. All that the promoters of the Bill asked for was, that the various communities should be permitted to fulfil their local duties, and was this a time when the House should refuse to listen to their wishes? He trusted that the right hon. Gentleman opposite would say what course the Government intended to adopt with reference to this Bill, and whether the Government would undertake to introduce a Bill of a similar character during the next Session. The enormous extension of the Factory Acts that had taken place in late years rendered it essential that some steps should be taken with regard to this subject. The Factory Act introduced by the late Home Secretary would bring under its operation no less than 2,500,000 persons, of whom 500,000 were children, and employers would soon begin to object to the burden that these Acts cast upon them; and it was impossible that the friends of education could take upon themselves the burden of instructing this mass of children. A great deal had been said in the course of the Session about a "residuum;" but he had no fear of that portion of the community, since the suffrage had been extended by the Bill which had occupied so much of their attention of late; still it was the duty of that House to prevent the children of the class which formed the "residuum" growing up to be no better than their parents.

MR. GATHORNE HARDY said, that a double appeal had been made to him with regard to the course he intended to take in reference to this Bill—one personal, and the other in relation to his official position in this House. Now, with reference to the appeal which had been personally made to him—the right hon. Gentleman opposite had said with justice that he should not be regarded so much as the Member for Oxford and as a Churchman, as a responsible Member of the Government—he begged to state that he had said nothing on the subject of education since he had been one of the Members for the University of Oxford, which he had not previously stated, and when he had no more expectation of representing the University than he had of holding the office which he now filled in Her Majesty's Government. He did not retract anything he had said on former occasions on this subject, however much he might be influenced by circumstances in dealing with it. When the subject of Scotch education was last before the House, he thought it necessary to express, as far as he could—which he did with great diffidence, not having at that period had time to read the Report—that he considered the case of Scotland totally different to that of England; because Scotland having practised a system of rating for education for generations past, it had grown up with it, and the people had been accustomed to it, and that, consequently, as a national question, it must be looked at in a different light from that of England. The system adopted in Scotland was, he believed, one that was in harmony with the wishes of the people in that country—so also the denominational system had a strong hold on the minds of the people of this country; but he did not believe it was possible to introduce into England with advantage a system of rating for educational purposes.

He was sensible, both as an individual and as a Member of the Government, of the defects of the present system in not reaching every portion of the population; but, at the same time, he could not help remarking, when the figures were placed before him, that if it were true that the proportion of children attending school in Manchester, and other large towns, was only one in ten or one in thirteen, as the total proportion attending school throughout the whole country was one in seven, the proportion of the attendance in other places must be comparatively high. He entirely concurred in the opinion expressed by the right hon. Member for Oxfordshire (Mr. Henley) that, taking into consideration the short time that the present system had been in operation, its progress had been unequalled by any other system in the world. The number of schools and the number of scholars was increasing year by year—the latter amounting to 2,000,000, while the schools were increasing at the rate of 700 per annum. It was absurd to suppose that we were not steadily advancing, and that not only in the number of scholars and schools, but also in the quality of the education given. Notwithstanding these favourable circumstances, however, it was impossible for him to shut his eyes to the fact that there were great deficiencies in the accommodation afforded to scholars in some of the large towns, and also in some of the country districts. Under these circumstances, he had to ask himself how it was that some mode had not hitherto been arrived at to meet those deficiencies? And here he asked to be permitted in passing to acknowledge the great service which the right hon. Gentleman (Mr. Bruce) had rendered to the House and to the country by adding so largely as he had done that day to their information upon this subject. Experiments of various kinds had been tried, in order to remedy the deficiencies complained of. Lord Russell, and the present Secretary for War (Sir John Pakington), had introduced Bills for that purpose, founded on the principle of rating; but the House of Commons had hitherto steadfastly refused to adopt that principle, which was objected to, not only upon religious grounds, and by the Church party, but the hon. Member for Leeds, the hon. Member for Sheffield, and those who formed what was called the Voluntary party in that House, upon the double ground that it was opposed to the voluntary principle, and that its adoption would necessarily lead to secular education. He recollected Sir James Graham quoting, with great effect, a pamphlet written by the hon. Member for Leeds, in which arguments of that kind were set forth. In the Bill now before the House it was proposed to remedy the evils which existed by recurring again to the system of rating. But the hon. Member for South Lancashire (Mr. A. Egerton), who sat behind him, had told the House that the evil which existed in Lancashire was not the want of schools, or the want of the means of education, or even the poverty of the parents, but the disinclination of the parents to send their children to the schools; and the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) had put the matter in a still stronger light, for he had shown that even where education had been provided gratuitously, half of those to whom it was offered refused to avail themselves of it. It did not appear to him, therefore, that by merely establishing the principle of rating they would arrive at a solution of the difficulty. By going into the field with more money they were not doing that which would bring the children in greater numbers to the schools; and if they paid for children whose parents ought to pay for them, they were taking away from the parent one of his highest duties—that of educating his children himself, if he had the means to do it. But even if the evil did arise from the poverty of the parent, what were they going to do by this Bill? They had cases instanced to-day where schools had not been built in the midst of large populations. But in those instances which had been referred to, the districts were of the poorest character, and most heavily rated, and this Bill would add to those rates without effecting the object which they had in view. That the rates should only be levied on one description of property seemed to him one of the strongest arguments against the adoption of such a principle. And then the question of conscience had been brought forward, and he thought with perfect justice. It was one of the arguments against church rates that people should not be called upon to pay for that which they did not approve. Yet they proposed to introduce a system of rating. But how was that system to be applied? It was to be left to those who would afterwards have the management of the schools, and it would be in their hands to make these schools either such as they did or such as they did not approve of.

Although the right hon. Gentleman said that there was a careful provision in the Bill which provided against the education given in schools to be supported by the rate being secular, he must confess that he could not find such a clause.

MR. W. E. FORSTER explained that the provision to which he referred was the one which declared that the conditions to be imposed should be the same as those which were required to be fulfilled before the Government grant could be obtained.

MR. GATHORNE HARDY said, that in that case, of course, the Bible must be read in the school according to the regulations of the Revised Code. He now came to another point of considerable importance. Of course, under a system of rating they would put the management of the schools into the hands of people elected by the ratepayers—either by the Town Council or directly by the ratepayers themselves. Now, had that been a system of management with which this House had been entirely satisfied? They had recently had several cases in which such a system of management had not been considered satisfactory by the House, and it should be remembered that education was one of the most difficult of all subjects to manage properly. One thing was quite clear—that they must have in these boards of management people of all religious denominations, especially in the large towns. Then comes the question as to what schools are to be aided? The right hon. Gentleman says that denominational schools will be aided; but there are 11,000 or 12,000 of those which by their deeds are bound to be denominational schools in the strictest sense of the word. They had no conscience clause; but they were bound by their deeds and by their connection with societies to carry out a particular system of education; and the whole of those schools would be debarred from any claim on the rates by their own deeds, while they would all be rated for an education which they disapproved or might disapprove of, and in which they could have no share whatever. He thought the result must be that the two systems could not survive together. The one supported by rates would put down the other, or place it in some such difficulty as that in which we see the Church educational system of Ireland. With regard to the conscience clause, he wished that the right hon. Gentleman had spoken earlier the words he had used with regard to it to-day. For his own part, he believed that, had it not been made a Parliamentary and a political question, the conscience clause would never have been heard of in this country at all. The religious difficulty did not arise from below, but had been raised by those who sought to make a political question of it. It should, however, be borne in mind that in less than a year after the conscience clause was introduced into the endowed schools an attempt was made to introduce into the management of those schools a system of mixed religions, on the ground that the children were of mixed religions, and that proposal was strongly supported by those who supported the original change. He thought, therefore, that they should have a very slight guarantee for keeping the management of the denominational schools in the hands of the denominations themselves, if once a separate board of management were admitted to exercise a control over the schools. He had studiously avoided going into any statistics upon the subject; and having expressed what his personal views were upon the question, he was now prepared to state what the views of the Government were with regard to the Bill. He was not prepared himself, nor was he aware that any of his Colleagues were prepared, to support the second reading of the Bill at present. They thought it was premature to come to a conclusion upon a matter of such vast importance to the country after two or three speeches only had been made upon it. He could only repeat what he had said when the question of Scotch education was before the House—that the subject of the education of those whose means did not permit them to provide it for themselves, was one which deserved the most serious attention of any Government, and was one upon which some course must be decided upon before long. He could not help saying, however, that he thought it rather unreasonable that this question should be forced upon a Government which had held office for so short a time, when nothing had been done in the matter by those whom they succeeded during the six or seven years they held office. While assuring the right hon. Gentleman and those who sat near him that the subject of education was one which had always commanded and would always have his most earnest attention, he declined to pledge the Government to bring in a Bill or to deal with the subject in any way next Session. As he did not believe that the Bill would in any way meet the evil it proposed to remedy, as he was not prepared to accept the rating system, and as he foresaw that the Bill was made permissive only as a step to making the principle compulsory, he should decline to give his assent to the Bill. The hon. Member who last addressed the House (Mr. W. E. Forster) had referred to the Factory Acts, which were about to be sent before the House by the Committee. He could not allow the opportunity to pass without expressing his approval of the legislation upon that subject which had taken place in recent years, and could only hope that the system of education had been as effective in connection with the half-time system as the Legislature meant it to be. He quite agreed that the Legislature were bound to provide the necessary means to meet a want which they themselves had called into existence. They had called into existence an additional want of education, and they were bound in duty to make some provision for it. When Parliament passed a law saying that certain people shall undergo a certain system of education, he quite agreed that it would be a neglect of duty on their part if they did not see that some system of education was provided. He should have liked to have been informed in the course of this debate what were the ages of the children who were absent from the schools; and whether rates were required to obtain increased educational accommodation for teaching, or merely for the purpose of compelling the children to go to schools which were already in existence? In many of the instances which had been quoted to-day he had not been told whether there was any deficiency in the schools themselves, either in accommodation or in the teaching. If there was that deficiency, they were only making a voluntary effort by this Bill to meet it, although it was a voluntary effort whereby a majority can coerce a very large minority if they thought proper to do so. He had gone through the subject in a very imperfect manner, and he could only repeat, on the part of the Government, that he could not assent to the second reading of the Bill.

MR. GLADSTONE could not say that the general effect of the right hon. Gentleman's declaration could be regarded as satisfactory—he himself came to the contrary conclusion—not because the right hon. Gentleman deprecated any attempt to extract from the Government any immediate pledge upon a subject so extensive and so difficult as that now before the House, but because he had complained of the inactivity of the late Government with reference to the question of education. The late Government had not neglected the subject at all; they were compelled to wait until they received the Report of the Commission appointed to inquire into the matter, and when that Report was presented they could not bring themselves to sanction, as the basis of legislative enactment, the recommendations it contained. They did, however, introduce a measure of considerable extent under the auspices of the right hon. Member for Calne (Mr. Lowe); and he (Mr. Gladstone) must say that the reception that measure met with, and the difficulties in the way of bringing it to a tolerable issue, were not at all encouraging as to the manner in which any further efforts they might make would be received by the other side of the House. The matter was now in the hands of the right hon. Gentleman—it is in an entirely different position, and the present Government might feel assured that if they introduced a measure which went in the general direction indicated by the right hon. Gentleman (Mr. Bruce), it would meet with no tenacious opposition, but with the warmest support from those among whom he had the honour to sit. The right hon. Gentleman deprecated assent to the second reading of this Bill; and while he urged that the question had been insufficiently discussed, he accompanied his conclusion with arguments which went right against the whole principle of the Bill. The principle of the Bill is to call upon the local communities, for the purpose of supplying great deficiencies which exist in the quantity and quality of education, and with the view of availing ourselves of all the aid which was to be derived from that source; and the objections of the right hon. Gentleman went against any plan which embodied such a system. They were now in a position in which it was necessary to review the general results of their present system of education, and to ask themselves whether they could entertain the hope that the Amendments and extensions of the present system which had been referred to would enable them to meet the greatly increased and enhanced necessities of the country? The right hon. Gentleman referred triumphantly to the progress which the present system has made. Now he (Mr. Gladstone) had before him some facts of the simplest character relating to the educational position of certain districts. It was a mild test of education, to say the least, to inquire whether, upon marriage, the persons who were united could perform the operation of writing their names, and what is the percentage of those who could do so. He had before him statistics showing the proportion of persons who on being married could perform the operation of writing their names. He found that in Peebles all could write; and in Dumfries, 3 per cent made their marks. The districts in England, however, did not show so favourably. In Brighton there was a proportion of 14 per cent who could not write their names; in Cheltenham, 13 per cent; Southampton, 14 per cent; Portsmouth, 16½ per cent; and in Yorkshire, 16½ per cent. These were proportions taken upon the entire population, including the middle and upper classes, and consequently there must be deduced from every 100 some 20, 25, or 30, as a percentage for the middle and the upper classes, and then the percentages for the labouring classes become very much larger. But these were among the most favourable districts, many of them not being places of which it could be said that the life of the labouring classes was concentrated in the greatest degree, and working men in the greatest intensity. If they took Manchester they would find that one-third of the entire population at the period of marriage were not able to write their own names, and, therefore, somewhere about half, or a little short of half the labouring population were in that position. In Salford, 40 per cent cannot write; in Birmingham, 30½ per cent; in Blackburn, 40 per cent; in Bolton, 44 per cent; in Oldham, 43 per cent; in Preston, 49 per cent; in Stockport 42½ per cent; and in Wolverhampton 47 per cent. These are the very places where the labouring classes will become a majority of the constituents to return Members to this House. With regard to another view of the present system he could not help expressing his great disappointment at its failure, or rather at its insufficiency, considered with regard to its modern extension, in the duration of the education which it communicated. It was far from producing the results they would desire to see in regard to its religious character. He could not but think that they must all feel a sentiment of painful disappointment at the feebleness of the religious impressions which the education in our schools had produced. This might be seen to some extent in the insensible operation of our schools as a means of proselytism. He did not now enter into the question as to how far they should operate in that manner; but, considering the mode in which, in almost all the rural districts of the country, the instruction of the lower classes was merely a monopoly of the Church of England, he was astonished to find that the result was what it was. It was conclusively established that what was called religious education did not produce in the scholars those habits of attending the ordinances of religion. Experience showed that the period of liberation from the school was also the period of liberation from attending Church or chapel. He thought his right hon. Friend deserved their gratitude for introducing this Bill, and he said so though he might not agree to all its details. The right hon. Gentleman (Mr. Gathorne Hardy) had found fault with his right hon. Friend for excluding from the benefits of the measure any schools that had not adopted the conscience clause. Well, he (Mr. Gladstone) confessed that that was a very fair question for consideration in Committee. Personally, he thought that benevolent persons who chose to establish schools for the purpose of teaching reading, writing, and arithmetic, and in which no attempts were made to produce irreligious influences, ought not to be excluded from the advantages to be conferred by the measure, and he should therefore feel disposed to urge upon his right hon. Friend a relaxation in this particular. Still, however, his right hon. Friend had had to grapple with great difficulties, and not the least of these was to reconcile denominational education with the application of local rates. Instead of avowing an intention to discourage and put down denominational education, they ought—as he believed the Bill would do—to give that denominational education perfectly fair play. The right hon. Gentleman's (Mr. G. Hardy's) objection on this point, he must confess, appeared to him to be not only not warranted, but to be positively contradicted by the 26th clause. He thought that if the right hon. Gentleman would consider that clause he would see that the danger he feared from the board of management being composed of members of different religious persuasions is not likely to occur. He thought his right hon. Friend had taken perfect security for the religious liberty of those schools in everything that respected their internal arrangements, except in so far as those which might be regulated by Parliament itself. The right hon. Gentleman, too, had, he thought, misinterpreted his right hon. Friend on another point; for as he understood it, his right hon. Friend's meaning was not that the conscience clause was demanded for political motives, but that the opposition that was made to it chiefly arose from those motives. He understood his right hon. Friend, moreover, not to make the charge against those who took objection in the practical work of education as against those who, in higher quarters, were disposed to make the subject one for debate. He could not describe how much he lamented the course that had been pursued by men in authority civil and ecclesiastical, and by the clergy more especially, in the resistance to the conscience clause. It appeared to him that the conscience clause afforded the last chance of a permanent system of denominational education. He believed that the conscience clause afforded, too, the only chance for maintaining harmony between what he might call the old system and the demands of the new system; a harmony which he thought it exceedingly desirable to obtain, because, in his opinion, if the matter came to actual conflict, the new system would prevail. It was this matter, in fact, which lay at the root of the Bill. It was not the question of the Government being a long or a short time in office; but the fact, as he feared, was that the view which the right hon. Gentleman entertained of the conscience clause, and of lawful authority with regard to the superintendence in the school system, afforded his right hon. Friend no choice but to take the opinion of the House on the measure which he had introduced.

Mr. BAZLEY said, that the Bill, in his opinion, proposed to assist those who, while exceedingly numerous, were by themselves helpless. He believed that the objection urged against it by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), on the ground that it would necessitate the erection of fresh schools, was unfounded, because he did not think that any schools at all would have to be erected in consequence of the passing of the measure. His right hon. Friend had given the House some startling figures, showing how many were in the present day growing up uncared for and untaught; training, in fact, for vice and prison. He believed that, in fact the greatest difficulty in the question was the mass of ignorance that existed in the country. He believed that something like a compulsory system would be necessary to get the neglected classes of children to attend schools. The compulsory system had worked beneficially wherever it had been tried, even although it did not provide for the religious instruction of the children. There were thousands of children helpless and uneducated, and this Bill would be not only an individual, but a national benefit. He should therefore give it his support. The question of education was one that must, sooner or later, force itself upon the attention of the House, and they could not, he believed, at present do better than adopt the measure which his right hon. Friend had introduced.

Mr. HUBBARD said, he believed this question to be of greater importance than any Reform Bill; because it was more essential that those exercising the privilege of voting should be qualified to fulfil the trust reposed in them than that the number of those enfranchised should be increased. The Bill, however, now before the House was full of inconsistencies. They were told that the measure was intended to supplement the existing system. Being a permissive measure, it might possibly be adopted in places where wealth and energy abounded; but where poverty and ignorance existed, and where, consequently, legislation was required, it would simply be of no service. He could not understand how those who objected to church rates could advocate a measure which would depend for its efficiency solely upon a system of rating. The hon. Gentleman was proceeding, when it being a quarter to Six of the Clock—

Debate *adjourned* till *To-morrow.*

JUSTICES OF THE PEACE DISQUALIFICATION REMOVAL BILL.

On Motion of Colonel Wilson Patten, Bill for the execution of Acts by Justices of the Peace, *ordered* to be brought in by Colonel Wilson Patten and The Marquess of Hartington.

Bill *presented,* and read the first time. [Bill 245.]

DUBLIN METROPOLITAN POLICE BILL.

On Motion of Lord Naas, Bill to amend the Laws regulating the Superannuation Allowances of the Dublin Metropolitan Police, *ordered* to be brought in by Lord Naas and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 246.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 11, 1867.

MINUTES.]—Select Committee—On Railways (Guards' and Passengers' Communication) *nominated.*

Public Bills—*First Reading*—Court of Appeal Chancery (Despatch of Business) * (215); Banns of Matrimony * (216).

Second Reading—Vaccination (189).

Referred to Select Committee—Vaccination (189).

Committee — Offices and Oaths (100 & 218); Transubstantiation, &c. Declaration Abolition (101); Merchant Shipping * (180); Real Estate Charges Act Amendment * (191).

Report — Transubstantiation, &c. Declaration Abolition (101); Pier and Harbour Orders Confirmation (No. 2) * (187); Merchant Shipping * (180 & 219); Real Estate Charges Act Amendment * (191).

Third Reading—Adjutants of Volunteers (192), *put off* for three months; Galway Harbour (Composition of Debt) * (176); Blackwater Bridge * (178); Local Government Supplemental (No. 4) * (207); Linen and other Manufactures (Ireland) * (186); Edinburgh Provisional Order Confirmation * (198); War Department Stores * (209).

OFFICES AND OATHS BILL—(No. 100.)

(*The Earl of Kimberley.*)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (All the Queen's Subjects, without reference to their Religious Belief, shall be eligible to hold the Office of Lord Chancellor of Ireland).

Lord LYVEDEN moved the insertion of the words "Lord Lieutenant, Lord Deputy, Lord Justice, or other Chief Governor or Governors of Ireland," the effect of which would be that a Roman Catholic might hold the office of Lord Lieutenant of Ireland. The noble Lord said that the Bill, as originally introduced into the House of Commons, contained the office of Lord Lieutenant of Ireland among those that were to be affected by the Bill; but the words were struck out by the narrow majority of three votes—the numbers being 143 to 140, and he hoped they would be restored by their Lordships, in order that the Commons might have an opportunity of re-considering their decision. He might further observe that in the minority there were included the votes of forty-seven Irish Members, while in the majority there were only twenty-nine Irish Members. The omission was therefore carried entirely by the votes of English and Scotch Members. What he wished was to remove the notion from the minds of Irishmen that legislation for Ireland was conducted only for the interest of Great Britain, and in this it was impossible not to believe that an Irish Parliament would have arrived at a different conclusion. What was the answer in larger questions to those who called for measures exclusively in Irish interests? The Established Church in Ireland was regarded as a standing insult by the Irish people, and as a symbol of their subjection. He could, however, easily understand that Parliament and the Government were not at present prepared to deal with that question, and he should be the last man to blame any Ministry for shrinking from encountering the difficulties by which it was surrounded. He could not help thinking, too, that they would be more likely to arrive at a satisfactory conclusion upon the subject by postponing its consideration until another Session, when most probably a so-called Conservative Ministry would deal with it as they had with the question of Reform. The Ecclesiastical Titles Bill was another source of incessant annoyance to the Irish people. When that subject was lately mentioned in this House, all their Lordships who spoke put themselves, so to speak, on the stool of repentance, and said how much they regretted having helped to pass such a Bill. Again, however, the repeal of this Act might excite very much the Protestants of England and Scotland. He could, however, see no reason why they should not at once resolve on rendering Roman Catholics eligible to the office of Lord Lieutenant of Ireland. In fact, his difficulty was in understanding why the Lord Lieutenant should be included in the list of offices which might not be filled by Roman Catholics. The only objections he had ever heard urged to his proposal were, first, that the Lord Lieutenant was invested with Church patronage, and that such patronage ought not to be placed at the disposal of a Roman Catholic; and secondly, that the Lord Lieutenant was the representative of the Sovereign, and ought, therefore, to be a Protestant. But the first of those objections was met by a provision in the Bill itself, as it had been originally framed, which declared that whenever a Roman Catholic should be appointed Lord Lieutenant, the Church patronage attached to the office should be vested in trustees; and with respect to the second argument against the proposal—the Lord Lieutenant was the representative of the Sovereign—

he certainly was the representative of the Sovereign at levees, balls, and receptions; and he represented the Sovereign also in conferring knighthood, and in receiving young ladies who were entering the world. But a Roman Catholic could perform these duties as well as a Protestant. The Lord Lieutenant of Ireland was, in fact, the subordinate of the Secretary of State for the Home Department, and was often inferior to his own Chief Secretary, who was sometimes a Cabinet Minister when he was not. The Governor of Canada and the Governor General of India might be Roman Catholics; and the exclusion of a Roman Catholic from the Lord Lieutenancy of Ireland was owing solely to the lingering prejudice against that religion, and a dislike to allow Roman Catholics to fill offices which might be filled by persons of other religions. He hoped that their Lordships would give the House of Commons an opportunity of re-considering their decision upon this point. The question should be treated as one of political expediency alone, and should not be looked at from a religious point of view at all. As enlightened Protestants their Lordships were bound to do all they could to show that the Roman Catholics were not treated differently from members of other religions, and were admitted to their fair share of patronage, in spite of their religious opinions. This was one of the minor concessions by which their Lordships would soothe, to a certain extent, the irritation existing among the Irish people, though Parliament might not be prepared to make those greater concessions for want of which Ireland was a constant source of weakness instead of strength to this country.

An Amendment *moved*, p. 1, l. 17, after the first "of" to insert "Lord Lieutenant, Lord Deputy, Lord Justice, or other Chief Governor or Governors of Ireland, or"—(*The Lord Lyveden.*)

The Earl of KIMBERLEY said, that in moving the second reading of the Bill, he had expressed his regret at the omission of the words which would have opened to the Roman Catholics the office of Lord Lieutenant of Ireland; but at the same time he said that he did not think it advisable to endanger the passing of the measure by the re-introduction of that provision. He entirely approved, however, of the present proposal, and he should give his best support to the Amendment.

The Earl of BANDON said, he was not only opposed to the present proposal, but to the whole Bill, which he still trusted their Lordships would reject altogether. The noble Lord who had moved the Amendment (Lord Lyveden) in instituting an analogy between India and Ireland, seemed to forget that Ireland, unlike India, was an integral portion of the United Kingdom. Sir Robert Peel, when he introduced the Roman Catholic Emancipation Act, specially exempted the Lord Lieutenant and the Lord Chancellor of Ireland; and the present Lord Chief Justice of Ireland, in 1859, told the House of Commons that the ground upon which the question had never been brought forward since 1829, was that lawyers recognized the principle that the Lord Lieutenant was exempt because he was the direct representative of Royalty in Ireland. It was said that we ought to deal with Ireland as the Irish people wished to deal with it; and an essential part of the Union between England and Ireland was that they were to be one united country. Lord Castlereagh, in proposing the Union to the Irish House of Commons, said—

> "I now proceed to that part of the question which concerns religion, and the Church Establishment of the country—one State, one Legislature, one Church. These are the leading features of the system, and without identity with Great Britain in those three great points of connection we never can hope for any real or permanent security. The Church, in particular, while we remain a separate country, will ever be liable to be impeached on local grounds. When once incorporated with the Church of England it will be placed upon such a strong and natural foundation as to be above every apprehension and fear from adverse interest, and from all the fretting and irritating circumstances connected with our colonial situation. As soon as the Church establishments of the two kingdoms shall be incorporated into one Church, the Protestant will feel himself at once identified with the population and property of the Empire, and the establishment will be placed on its natural basis."

From personal experience in Ireland he could say that if we did not treat Ireland as an integral part of the Empire we should create ill feeling in every parish of the country. He believed the Irish people did not care anything about this measure, and that it would only create discord among the different classes in the country.

The Earl of DENBIGH said, he desired to express his thanks to the noble Lord who had proposed the Amendment. He could not conceive any grounds why, in reason or policy, we should keep alive a continual suspicion against Roman Catholics. We were not bound now to consider the words and actions of Sir Robert Peel at a time when the Roman Catholics were held in great suspicion. Catholics had since shown that they were capable of being as good citizens as their Protestant fellow-countrymen, and we ought, therefore, to treat them without being unduly influenced by party feeling, political or religious. We might depend upon it that one of the great causes of discontent in Ireland was not so much the law of land tenure, or the position of the railways as, it was the feeling that the Roman Catholics were subject to Protestant ascendancy, and until that feeling was removed the Roman Catholics would never be content. The Roman Catholics of Ireland did not wish for ascendancy, but simply for religious equality. Whatever the private religious views of an individual might be, or however erroneous he might think the doctrines of the Roman Catholics to be, he had no right to make them the measure of his action in his legislative capacity ; we had to legislate for a mixed people, and we ought to do that which was best for the community. He could not conceive any valid reason why the Lord Lieutenant should not be of the same religion as the people ; he had talked it over with Friends and with noble Lords, and he could get no better reason than this—"I cannot give you any reason, but I don't like it," an answer which, however pardonable it may be from a pretty pair of lips of one of the other sex, is yet utterly unworthy of a man and a legislator. Good reasons ought to be adduced for rejecting a measure which would do justice to the religion of a whole people. To those who might urge that it would endanger the Protestant Constitution to appoint a Roman Catholic as the representative of the Sovereign in Ireland, he would reply that, without entering upon the question as to whether even theoretically such a consequence might be reasonably assumed, at least practically it was not likely to arise, as he was not aware of any Catholic Peer of the present day who would accept the office even if it were offered him, as the office required an union of qualifications not easily obtained. He did not, therefore, think there was any danger to be apprehended from the Bill. We were not required to deal with the Irish people as they would deal with themselves, but we ought to deal with Ireland as we should wish Ireland to deal with us if we were in the same position as the people of that country.

The Bishop of DOWN and CONNOR rose to make an earnest appeal to the noble Lord who had moved the Amendment not to press it. He objected to it not on grounds of principle, but on practical grounds. If the Amendment were carried, the machinery of the Bill would have to be recast. Again, the beneficial effects which the Bill was intended to produce in Ireland would not be realized if the Amendment were adopted. It ought not to be forgotten that, although Her Majesty's Government did not initiate this measure, they had adopted it in a kind and generous spirit. One good effect that would follow the adoption of the measure would be that the Irish people would conclude that at all fitting opportunities the Government would be prepared to remove religious disabilities, which, it must be confessed, were not now many nor grievous. No good would result from pressing the Amendment, while the provisions of the measure were in themselves wise, just, and generous.

The Earl of COURTOWN opposed the Amendment. Sir Robert Peel, in moving the second reading of the Roman Catholic Relief Bill, said—

> "It will, nevertheless, be quite consistent with this principle to exclude Roman Catholic from a certain limited number of offices, which have special and peculiar duties attached to them, connected with the patronage of the Church, or with education, or the administration of the Ecclesiastical Law. The Roman Catholic is jealous of our interference with the appointments and discipline of his Church, and we have, at least, as good a right to take security for the maintenance of the integrity of our own. This Bill will, therefore, exclude the Roman Catholic from the office of Regent, and from exercising under any circumstances the delegated authority of the Crown, from the office of Lord Chancellor in England and Ireland respectively, and from the office of Lord Lieutenant of Ireland."—[2 *Hansard*, xx. 762.]

The Earl of DERBY: My Lords, I have to express my regret that I cannot agree to the proposed Amendment. I am extremely unwilling to say anything which could hurt the feelings of any Roman Catholic Member, or which could convey the slightest doubt as to the perfect loyalty of the great body of the Roman Catholics of this country. But this is not a question either of loyalty or of disloyalty ; it is a question respecting the power and authority to be intrusted to persons of a certain religious persuasion who are distinctly specified in the Emancipation Act of 1829. I do not at all object to the alteration under which Roman Catholics will be made admissible to the high office of Lord Chancellor of Ireland; for I think that a Roman Catholic lawyer, whose talents have raised him to eminence and position, should have opened to him all the advantages of his profession; and more especially as in the present Bill provision is made against his exercising that portion of the functions of the Lord Chancellor which could hardly be properly discharged by a Roman Catholic. I therefore give my entire support to this measure as it passed the House of Commons. But you raise another, and a very serious question, when it is proposed to extend the provisions of the Act to the office of Lord Lieutenant of Ireland. It is all very well to say that the office is one of mere pageantry; but this is by no means the case, he is the head of the Privy Council, which possesses very extensive executive powers. And when my noble Friend at the table (the Earl of Denbigh) says that there will be no satisfaction among Roman Catholics until they are admissible to all offices it should be borne in mind that such an argument would extend not only to the Lord Lieutenant, as the representative of the Sovereign, but to the Crown itself. He who holds as a delegate the office of Viceroy is thereby placed in the position of the Crown, and if it be right that the Viceroyalty of Ireland should be held by Roman Catholics, it is equally right that the Constitution of this country should be set aside so as to enable the Crown itself to be held by a Roman Catholic. I allow that it is unlikely that a Roman Catholic would be appointed to the high office of Lord Lieutenant of Ireland; but still this is a question not of theory, but of principle. The principle is that the Constitution of this country is a Protestant Constitution, presided over by a Protestant Sovereign, and that when the Viceregal authority is delegated it should be delegated to a person who is of the same religious persuasion, and bound to maintain the same religious principles, as the occupant of the Throne itself. For the reasons which I have just stated, I think it is extremely inexpedient that this question should be opened by the noble Lord. The House of Commons has decided that the office of Lord Chancellor in Ireland should be thrown open to Roman Catholics, I entirely concur in the prudence, the wisdom, and the justice of that measure; but when it is proposed to go a step further, and to delegate the practical authority of the Crown, the head of the Executive, to a Roman Catholic, I must say, I think that is encroaching very closely upon what is a vital portion of the Constitution of this country, and I, for one, should deeply regret to see such a course taken.

THE EARL OF KIMBERLEY: My Lords, I cannot allow the remarks which have been just made by the noble Earl to pass without any answer. I am astonished to hear the noble Earl place the question of admitting Roman Catholics to the office of Viceroy on the same level as the admission of Roman Catholics to the Crown. I have no desire whatever to disparage the office of Viceroy; for certainly no one who has ever filled it would be likely to do so. But what are the duties of the Lord Lieutenant? They may be divided into two parts. In one sense he may be said to be the representative of the Crown. He holds certain Court ceremonials which, no doubt, it is very desirable should be held, though I see no reason why they should not be held by a Roman Catholic. But the Lord Lieutenant does exercise one great function. He has the power of granting pardons. Still, though that authority is directly delegated to him by the Crown, and is therefore exercised in a different manner from the power exercised by the Home Secretary, yet it only differs in this—that the Lord Lieutenant acts as a Minister directly himself, and directs that a sentence be commuted or remitted, while the Home Secretary recommends the Crown to grant the commutation or remission of a sentence. As regards the duty of the Lord Lieutenant in reference to the general government of the country, he is directly subordinate to the Cabinet and to the Secretary of State for Home Affairs; and, indeed, the very terms of his commission direct that he shall correspond with and receive instructions from the Home Secretary. Now, as the Secretary of State and every member of the Cabinet with the sole exception of the Lord Chancellor of England may be Roman Catholics, I can see no reason why a Roman Catholic should not be appointed to the office of Lord Lieutenant of Ireland. I was not at all anxious that this question should be brought before your Lordships, inasmuch as it has been already settled in the House of Commons; but at the same time I must express my opinion that the arguments are most forcible in favour of admitting Roman Catholics to the office of

Lord Lieutenant of Ireland, and therefore I shall vote with my noble Friend.

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On Question, "That the Clause stand part of the Bill,"

THE EARL OF COURTOWN said, he should oppose the clause to the utmost.

LORD ATHLUMNEY said, the rejection of the clause would be tantamount to the rejection of the Bill. It was objected to the appointment of a Roman Catholic Lord Chancellor that such an officer might have it in his power to do great mischief. But surely the same could be said against other high functionaries; and yet he was happy to say that the Bench of Ireland, whether Protestant or Catholic, was above all suspicion. Nor would the stream of justice become less pure if a Roman Catholic by his character, his abilities, and efficiency in the performance of public duties were able to attain this high position. Religious equality he believed to be the only ulterior views entertained by the Catholics in this matter: and until that religious equality was granted they would never have—he would not say peace, because he believed that the Irish people would endeavour to gain the redress of their grievances by constitutional means—but they might depend upon it that they would never have the people satisfied or contented. The late Mr. Shiel had denounced the present state of the law as a signal wrong to the whole Catholic Bar, and had characterized it as a mark which the manacle had left behind. For his own part he could only express a hope that their Lordships would be just and fear not—pass the measure if it were a just one, but not refuse their assent for any unfounded dread of the consequences.

Motion *agreed to.*

Clauses 2 and 3 *agreed to.*

Clause 4 (Every Judicial or Corporate Officer may attend his place of Worship in his Robes without incurring any Penalty).

THE BISHOP OF CARLISLE said, that he did not apologize for rising to move the rejection of the clause, for it applied, not to Ireland only, but to England also, and Scotland and Wales. Its object was to render it legal for civic and judicial officers to do that which had been prohibited by law as long ago as the 5th year of *Geo.* I. (1718), and had been again prohibited in the Roman Catholic Relief Act, 10th *Geo.* IV. (1829). By both those Acts it was expressly provided that no such officers should frequent any other than the Established Churches of the land in their robes of office. By this clause the prohibition was removed. Now, he did not object to judicial and civic officers resorting in their private capacity to their places of worship, as Mr. Justice Shee had recently done in his diocese; but he did object to the gowns, the chains, the maces of civil or judicial Royalty being carried to any place rather than to those hitherto permitted. For now it would be possible not only for a Roman Catholic Lord Mayor to bow down in all the pomp and circumstance of his civic Royalty before the host, but also for a Jewish Lord Mayor, with similar parade and state to frequent the Jewish synagogue. Now to this he objected on three distinct grounds. First, this clause was inconsistent with the principle of an Establishment; but not only so, it was actually inconsistent with Christianity itself. Christianity was part and parcel of the law of the land, as was set forth in a recent judgment of Lord Chief Baron Kelly. Now how could their Lordships pass a clause which would permit the representative of the Sovereign—for the Sovereign was the fountain of all honour—to attend a place of worship, acting and appearing as her representative, in which Christianity might be denied, and even the existence of God himself called in question? How could they do so in loyalty to the Saviour of Mankind, or in justice to their fellow-subjects? In justice, he said to their fellow-subjects, for such public actings would teach them lessons not of nonconformity to the Establishment only but of nonconformity to Christianity also. Vain would be all theorizing to the contrary—

> "Segnius irritant animos demissa per aurem,
> Quam quæ sunt oculis subjecta fidelibus."

Secondly, it was impossible to conceal the fact that this, and like measures, are supported by many with similar objects in view to those of the famous Edicts of Toleration of James II. The supremacy of Rome in these lands was their ultimate goal. He respected greatly the consistency and the pertinacity with which his Roman Catholic fellow-subjects pursued that aim. No consideration of persons or party were permitted for a moment to interfere with this paramount object of restoring to England what they conscientiously believed to be a great blessing; but as he read that Holy Book which once was, and perhaps still was, carried in solemn procession at the coronation of the Sovereign, and as he read history as it chronicled the fluctuations of our national fortunes, he came to the conclusion that such reinstatement of Rome amongst us, was neither for the glory of God nor the good of the people. He, therefore, felt it right to resist every step, and this amongst them, which led in the direction indicated. His third and last reason was the wanton offence given by this clause to the Protestant feelings of England and Scotland. Sir Robert Peel, in introducing the Bill for Roman Catholic Relief in 1829, said—

> "There are, however, some points—in no respect trespassing on any legitimate privileges or discipline, that the religion of the Roman Catholics requires to be preserved inviolable—which may be so arranged and regulated as to afford great satisfaction, and a sense of security to the Protestant mind. With this view I think it fit to provide that when Roman Catholics are admitted to the enjoyment of corporate offices, and other offices of a similar nature, under no circumstances whatever shall the robes and other insignia of office be taken to, or exhibited in, any other place of religious public worship than one belonging to the Protestant Established Church of England."—[2 *Hansard*, xx. 775.]

And subsequently in Committee, speaking on this clause, Sir Robert Peel said—

> "This was a clause calculated to give great satisfaction to Protestants, and no dissatisfaction to Catholics."—[*Ibid*, 1438.]

Mr. Brougham speaking, in the adjourned debate, of the whole measure as proposed by Sir Robert Peel, said—

> "It went the full and entire length that any reasonable man ever did or ever could demand. It did equal justice to his Majesty's Roman Catholic subjects. It put an end to all religious distinctions; it exterminated all civil disqualifications on account of religion. In its means of operation it was at once simple and efficacious; it clogged no exercise of civil or religious rights, and required no securities but such as the most zealous Catholic must readily admit to be, of necessity, part and parcel of such a comprehensive measure."—[*Ibid*, 834.]

And Lord Lansdowne, on presenting a Petition from Ireland, said—

> "To the conditions attached to the measure—conditions which he would not then argue—he could not entertain any objection. He meant those conditions which regarded the Catholic

> religion. He had never for a moment contemplated that any measure on this subject would be allowed to pass, without such reasonable securities as should satisfy the doubts and calm the consciences of the Protestants while they inflicted no wound on the feelings of the Catholic population; and he saw nothing of a contrary character in these conditions."—[2 *Hansard,* xx. 1015.]

The Protestant feeling of the country was far from being allayed. On the contrary, the noble Earl (the Earl of Denbigh) must permit him to say that recent events and legislation all in a Romeward direction excited afresh the suspicions of the people, and rendered the maintenance of such restrictions even more necessary than ever. For these reasons he moved the rejection of the clause.

THE EARL OF KIMBERLEY supported the clause, and begged to remind the right rev. Prelate whose remarks had been directed chiefly against the Roman Catholics, that the clause applied not to Roman Catholics only, but to Nonconformists as well. There was no security whatever to the Established Church in retaining the distinction which now prevailed. In Ireland especially, it would be extremely desirable that the Judges and mayors of the Roman Catholic religion should be seen by the population attending their places of worship with the insignia of their offices.

On Question, Clause *agreed to.*

Remaining Clauses *agreed to.*

The Report of the Amendments to be received on *Tuesday* next, and Bill to be *printed* as amended (No. 218).

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—(No. 101.)

(*The Earl of Kimberley.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into a Committee on the said Bill."—(*The Earl of Kimberley*).

THE MARQUESS OF WESTMEATH said, he rose to move that their Lordships should go into Committee on that day six months. He desired in the first place to call attention to that portion of the Bill which declared that—

> "It shall not be obligatory for any person hereafter to take, make, or subscribe the said declaration as a qualification for the exercise or enjoyment of any civil office, franchise, or right within the realm;"

and would ask the Lord Chancellor whether, having respect to the provisions of the Bill of Rights and the Act of Settlement, which regulate the succession to the Crown in the Protestant line, and render it imperative on every King and Queen to make that declaration, its abolition can be enacted without injury to the throne and constitution in the cases of those—

> "Who hold or exercise the office of guardians and justices of the United Kingdom, or of Regent of the United Kingdom, under whatever name, style, or title such office may be constituted?"—(10th *Geo.* IV. cap. 7.)

And whether in the event of the abolition of the declaration in this latter case, the country might not be governed under a Regency on principles irrespective of, or antagonistic to, those which the fundamental laws of the realm require the Sovereign, by most solemn sworn obligations, personally to maintain. The change proposed to be made by this Bill was a revolution? It was nothing but a revolution. [*Laughter.*] The question whether this country was to continue to be a Protestant country was not one to be treated with levity. The real authors of the Bill were the Jesuits, who, as was well known, were in this country contrary to law. Had the noble Earl (the Earl of Kimberley) devised any plan whereby our illustrious Sovereign was to be absolved from the declaration she took at the commencement of her reign, or was Her Majesty to be bound by a declaration which would not necessarily bind any one of her subjects? He had recently learnt by the visit of a missionary something he heard taught in the metropolitan Roman Catholic chapel in Dublin, which might astonish their Lordships. The object of the preacher was to get his auditory to pray to the Virgin Mary, and he added the reason—

> "For you know that she stood by her Son during his sufferings upon the cross, while his Father deserted him, which you must know is true, because the Bible says it."

This was the teaching of the Roman Catholic Church only a fortnight since; monstrous and blasphemous as it was it is true. He knew he was using strong language. He was there for the purpose. It was said that such statements were offensive. Well, and, of course, so was the Reformation itself to the Roman Catholic Church; and so also was the very name of Protestant. It was purposely to counteract this idolatrous teaching of the Church of Rome, that the oath against Transubstantiation was framed and enacted. It is the great Protestant landmark, which that party, of which the noble

Earl has become the willing mouth-piece in this House, want to obtain the repeal of. He thought that dynastic considerations formed a sufficient reason why their Lordships should reject this attempt to interfere with the Protestant institutions of the country. He begged to ask the noble and learned Lord on the Woolsack whether the abolition of the declaration in question could be enacted without injury to the Throne and Constitution in the cases of those who hold or exercise that office of Guardian and Justice of the United Kingdom, under whatever name, style, or title such officer may be constituted; and, whether in the event of the abolition of the declaration in the latter case, the country might not be governed under a Regency on principles irrespective of or antagonistic to, those by which the fundamental laws of the realm require the Sovereign by the most solemn sworn obligations personally to maintain?

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*The Marquess of Westmeath.*)

THE LORD CHANCELLOR said, it might be convenient before the House went into Committee that he should answer the question of the noble Marquess, who seemed to be under an erroneous impression with regard to the extent to which the declaration was required. The question of the noble Marquess was pregnant with inferences, but he thought that he could answer it satisfactorily. As to the particular officers referred to he could tell the noble Marquess that there was no danger in repealing the declaration, inasmuch as these persons were not required to make it. The declaration against Transubstantiation was first established by the statute of Charles II., and was required to be taken by Peers, Members of Parliament, and servants of the Crown; and after the Revolution that declaration was, by the Act of William III., required to be taken by the persons to whom it referred, and under the Bill of Rights by the Sovereign. He believed that the noble Marquess would find that there was no danger of the Crown being isolated by this Bill; because, in fact, isolation had already taken place to a considerable extent, for there were now very few persons who were required to make the declaration. It was a very extraordinary thing that neither the learned and able Commission whose Report was before them, nor the House of Commons had adverted in the slightest degree to the fact that Roman Catholics were relieved altogether from making the declaration by the Roman Catholic Relief Act. The preamble of the Act said—

> "Whereas by various Acts certain oaths and certain Declarations, commonly called the Declation against Transubstantiation, and the Declaration against Transubstantiation and the Invocation of Saints, and the Sacrifice of the Mass, as practised in the Church of Rome, are, or may be required to be taken, made, and subscribed by the subjects of His Majesty, as qualifications for sitting and voting in Parliament, and for the enjoyment of certain offices, franchises, and civil rights."

It then enacted—

> "From and after the commencement of this Act all such parts of the said Acts as require the said Declarations, or either of them, to be made or subscribed by any of His Majesty's subjects, as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of any office, franchise, or civil right, be and the same are (save as hereinafter provided and excepted) hereby repealed."

What were the exceptions? From the 12th section it appeared that the exception did not apply to the Regent of the United Kingdom, and it might be said, although it appeared doubtful, that it did not apply to the Lord Lieutenant and the Lord Chancellor of Ireland. The words of the sections were these—

> "Nothing herein contained shall extend or be construed to extend to enable any person or persons professing the Roman Catholic religion, to hold or exercise the office of guardians and justices of the United Kingdom, or of Regent of the United Kingdom, under whatever name, style, or title such office may be constituted."

These words only prohibited Roman Catholics holding the offices. The clause said nothing more with regard to the necessity of making the declaration. But it went on—

> "Nor to enable any person, otherwise than as he is now by law enabled, to hold or enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain or Ireland, or the office of Lord Lieutenant, or Lord Deputy, or other Chief Governor or Governors of Ireland."

Inasmuch as no person could hold the office of Lord Chancellor or Lord Lieutenant without making this declaration under the former Acts, the declaration was retained with regard to these particular offices; but the words did not apply to the Regent of the Kingdom. Therefore, the liability and obligation to make this declaration having been repealed by the preamble and the first section of the Act, it was quite clear it was not re-enacted with regard to this particular office. As far as concerned these offices there was no danger in the Bill, which merely provided for that which was by law established. The question was a very different one from that which was before the House on a previous occasion. This question did not affect Roman Catholics at all. As far as he understood the argument they said they were offended by Protestant Privy Councillors having to make this declaration against Transubstantiation in the presence of Roman Catholics. He had very great doubt whether a Privy Councillor was bound to make the declaration; indeed, he believed that under 10 *Geo.* IV. a Privy Councillor was not bound to make it. It might be customary to require them to make it; but he saw nothing in the Act which brought Privy Councillors within the 12th section. However, if a Privy Councillor was bound to make this declaration, and if offence was given to Roman Catholics, there was an easy way of avoiding offence and preserving the declaration. He saw no reason why private subscription to the declaration should not be sufficient; and, if the slightest encouragement were given to him, he should be disposed to move an Amendment that subscription alone should be required.

THE EARL OF KIMBERLEY was surprised that the noble and learned Lord on the Woolsack should have said anything in support of the declaration. He was under the impression that the measure had the complete assent of the Government in the other House; and he was, therefore, the more surprised that the noble and learned Lord should have endeavoured to induce their Lordships to retain this offensive declaration. The Commission recommended its abolition. There was no obligation on Privy Councillors to make it, and they did not make it. The only persons who did make it were the Lord Lieutenant and the Lord Chancellor of Ireland, and the Chancellors of the Universities of Oxford and Cambridge. The Roman Catholics of Ireland regarded it as an insult to them that the chief representative of the Government in Ireland, whom it had been determined should not be a Roman Catholic, but a Protestant, should commence his tenure of office by making a declaration which was needlessly offensive to Roman Catholics. That declaration was conceived in the spirit of the speech of the noble Marquess (the Marquess of Westmeath). The declaration, whether made by word of mouth or by subscription, would be grievously offensive to the great body of the Irish people, and he thought their Lordships could not follow worse advice than that which had been given by the noble and learned Lord on the Woolsack.

LORD LYVEDEN was of opinion that a subscription to the declaration would be as offensive as to make it verbally.

THE MARQUESS OF BATH thought this Bill would place the Sovereign in an isolated and anomalous position; and it would behove Parliament at some future time to consider whether the Sovereign should not be also relieved from the necessity of this declaration.

THE MARQUESS OF WESTMEATH thought the compromise proposed by the noble and learned Lord was a satisfactory one, and he would therefore withdraw his Motion.

Question, That ("now") stand Part of the Motion? put, and *agreed to.*

House in Committee accordingly.

THE LORD CHANCELLOR remarked that the Commission had reported in favour of the abolition of the declaration, on the ground that it was publicly made and was couched in terms which gave great offence to the Roman Catholics who were present. It appeared to him, however, that by adopting the course which he had already indicated, the declaration might be retained by Protestants without giving offence to the religious feelings of their Roman Catholic fellow-subjects.

THE EARL OF KIMBERLEY wished to know whether the Government shared the views of the noble and learned Lord?

THE EARL OF DENBIGH denied that the sacrifice of the Mass, as practised in the Church of Rome, was, as the declaration asserted, either superstitious or idolatrous; and he might remark that many Protestants were also of opinion that there was no superstition or idolatry in the Mass.

LORD LYVEDEN inquired whether the noble and learned Lord intended to move any Amendment?

THE LORD CHANCELLOR said, he had been expressing only his private opinion. He felt very strongly that the declaration might be retained without any offence being given to Roman Catholics. He had no desire, however, to press this opinion upon the House. He had said that if he met with any encouragement he should move an Amendment, but as he had not found any encouragement he should not move one.

Then it was *moved* that the Bill be now reported.

An Amendment *moved* to leave out ("now") and insert ("this Day Three Months.")—(*The Marquess of Westmeath.*)

On Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative;* Bill reported accordingly, without Amendment; and to be read 3^a on *Tuesday* next.

ADJUTANTS OF VOLUNTEERS BILL.

(No. 192.)—(*The Lord Campbell.*)

THIRD READING.

Order of the Day for the Third Reading read.

LORD CAMPBELL, in moving the third reading of this Bill, said, that as the House had sanctioned it in all its former stages, he should not deem it necessary to depart from the silence he had scarcely broken on it, if it were not that a noble Duke upon the other side (the Duke of Buckingham) had declared himself as likely to oppose it. The opposition of the noble Duke, however, he had reason to suppose, was not the opposition of the Government. What doubts or difficulties had occurred to the noble Duke as to the Bill, he (Lord Campbell) felt unable to conjecture. It might, however, be imagined that it was not called for by existing inconveniences. He would, therefore, assure the House that existing inconveniences alone had induced him to bring it forward. In the 46th Middlesex, with which he was connected, for the last three years the Adjutant had been exposed to the necessity of serving upon juries. At one time the late Sir John Shelley, the commander of the corps, questioning the right of the authorities to summon him, ordered him not to attend at Westminster but to perform his regimental duties. By disobeying such an order he would have become liable to a court martial; and by fulfilling it he incurred the risk of a considerable fine. In the present year the Adjutant had been repeatedly compelled to go to Westminster and to remain there. A few weeks ago he was detained during the whole of the day, on which the regiment paraded in the evening, and was only enabled by a good deal of activity to reach his house and join the battalion in uniform. The same circumstances might arise in any corps of the metropolis or elsewhere if the Adjutant was an householder. The noble Duke might think perhaps that the law, as it stood, would guard against the evil. He (Lord Campbell) had received professional assistance on that question, and felt no doubt that in order to meet the case the law required to be amended. The magistrates in petty sessions had maintained the liability of Adjutants in Volunteer corps. The only exemption by which they could be sheltered was that of officers on full pay in the Royal army; they were on full pay, but they had left the Royal army, and it was clear, at least from the facts he had adduced, that the authorities of Middlesex were guided by that doctrine. As regards the policy of the exemption he proposed, it hardly stood in need of vindication. Adjutants in Volunteer corps received the pay of captains—a sum he believed of £300 a year. It was absurd to suppose that the public intended to defraud itself, and to grant a considerable salary with one hand, while it obstructed the performance of the duties for which that salary was given with the other. In the series of exemptions which existed and which were founded upon two Acts of Parliament, many would be found which the public had not by any means so clear an interest in granting. Exemptions were given to apothecaries, sergeants-at-law, and others whose occupation was indirectly useful to society, but who were not among the paid and thus acknowledged servants of the country. Even the exemption of regimental officers in the Royal army on full pay, which came nearest in its character to that which the Bill demanded, would hardly stand on a foundation of necessity so valid. If an Adjutant of Infantry in the Line or in the Guards was withdrawn from his duty that he might serve upon a jury several lieutenants would be qualified if not ambitious to replace him. In a Volunteer corps from its nature the remaining officers were all engaged in civil occupations, and if the Adjutant was forcibly withdrawn the loss was utterly irreparable; drill could not go on, and all the operations of the regiment were suspended. Nor would the evil be restricted to some fixed portion of the year as it would in the case of the militia or yeomanry. When the exemptions were created there was no such office in the country as that of Adjutants in Volunteer corps holding their commissions from the Crown, and receiving salaries in order that their whole time might be devoted to the regiment which they served in. The case was new and wanted legislation to provide for it. Their Lordships, he trusted therefore would see no reason to depart from that favourable judgment of the Bill, which, on all the previous stages, they had intimated.

Moved, "That the Bill be now read 3ª."—(*The Lord Campbell.*)

THE DUKE OF BUCKINGHAM opposed the Bill, which had passed through its previous stages without discussion or explanation, because he thought it unwise to extend to Adjutants of Volunteers the exemption from serving on juries. Adjutants of yeomanry and militia regiments were liable to serve, although from being on active duty at the training, which occupied twenty or thirty days in the year, they would occasionally be exposed to far greater inconvenience than Adjutants of Volunteers. There was no analogy between the case of these Adjutants and officers on full pay in the army and navy, because the latter might at any moment be summoned to leave the country; while Adjutants of Volunteers were always resident in the town or county to which their corps belonged. He, therefore, moved that the Bill be read a third time that day three months.

Amendment *moved* to leave out ("now") and insert ("this Day Three Months.")—(*The Duke of Buckingham and Chandos.*)

THE MARQUESS OF CLANRICARDE said, that the reasons urged by the noble Duke were insufficient to warrant their Lordships in rejecting a Bill which would enable officers who were paid by the country to render more efficient service. Adjutants in the yeomanry and militia had no duties to perform in connection with their regiments except during the time of training, while with the Adjutants of Volunteers a constant attention was requisite.

THE EARL OF DENBIGH supported the Bill.

LORD CAMPBELL said, it was evident the noble Duke had no objection to the Bill upon its merits, but only thought it a disparagement to the militia and the yeomanry that no exemption should be given to their Adjutants, if the exemption was created for Adjutants of Volunteer corps. As far as he (Lord Campbell) was concerned, he would not hesitate to say that clauses, to meet the wishes of the noble Duke, might be inserted in the other House of Parliament. As there was not a shadow of argument against the Bill, he hoped, that after this assurance, the noble Duke would not insist upon dividing.

On Question, That ("now") stand Part of the Motion? their Lordships *divided*:—Contents 6; Not-Contents 18: Majority 12.

CONTENTS.

Denbigh, E. [*Teller.*]
Sidmouth, V.
Denman, L.
Monson, L.
Somerhill, L. (*M. Clanricarde.*)
Stratheden, L. [*Teller.*]

NOT-CONTENTS.

Chelmsford, L. (*L. Chancellor.*)
Beaufort, D.
Buckingham and Chandos, D. [*Teller.*]
Marlborough, D.
Exeter, M.
Belmore, E.
Derby, E.
Devon, E.
Malmesbury, E.
Nelson, E.
Romney, E.
Bagot, L.
Colonsay, L.
Colville of Culross, L.
Cranworth, L.
Redesdale, L.
Silchester, L. (*E. Longford.*)
Southampton, L. [*Teller.*]

Resolved in the *Negative;* and Bill to be read 3ª on *this Day Three Months.*

VACCINATION BILL—(No. 189.)

SECOND READING.

Read 2ª (according to Order), and *referred* to a Select Committee.

And, on July 12, the Lords following were named of the Committee:

Ld. President
E. Devon
L. Boyle
L. Lyttelton
L. Hatherton
L. Portman
L. Churston.

COURT OF APPEAL, CHANCERY (DESPATCH OF BUSINESS) BILL [H.L.]

A Bill to make further Provision for the Despatch of Business in the Court of Appeal in Chancery—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 215.)

House adjourned at Eight o'clock,
till To-morrow, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Thursday, July 11, 1867.

MINUTES.]—SELECT COMMITTEE—*Report*—On Parliamentary Deposits [No. 432]; on Paris Exhibition [No. 433].

Second Reading — Court of Chancery (Officers) [235]; Canongate Annuity Tax (Edinburgh)* [2]; Turnkike Trusts Arrangements* [233]; County General Assessment (Scotland)* [225]; Galashiels Jurisdiction* [234]; County Courts Acts Amendment* [212]; Game Laws Amendment (Ireland)* [226].

Committee — Trades Union Commission Act (1867) Extension [227]; Courts of Law Officers (Ireland)* (*re-comm.*) [248]; Poor Law Board, &c. [193] [R.P.]; Barrack Lane Windsor (Right of Way)* [229]; Judges Chambers (Despatch of Business)* [154]; Tramways (Ireland) Acts Amendment* [124] [R.P.]

Report—Corrupt Practices at Elections* [119 & 247); Trades Union Commission Act (1867) Extension [227]; Courts of Law Officers (Ireland)* (*re-comm.*) [178 & 248]; Barrack Lane, Windsor (Right of Way)* [229]; Judges Chambers (Despatch of Business)* [154].

Considered as amended—Naval Stores* [215]; Chatham and Sheerness Stipendiary Magistrate* [211].

Third Reading—Local Government Supplemental (No. 5)* [206], and *passed.*

Withdrawn — Bankruptcy (*re-comm*). [131]; Judgment Debtors* (*re-comm.*) [132]; Bankruptcy Acts Repeal* (*re-comm.*) [133]; Promissory Notes and Bills of Exchange* [224].

STEAM FERRIES BETWEEN GRANTON AND BURNTISLAND.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the hon. Baronet the Member for Peebles, Whether instructions will be given to the Crown Agent in Scotland to prosecute in cases of excessive crowding of passengers on board the Steam Ferries beteen Granton and Burntisland; or, whether the Crown Agent in Scotland will take any other steps to prohibit such daily and constant overcrowding of the above boats, to the danger of Her Majesty's faithful subjects?

SIR GRAHAM MONTGOMERY said, that no complaints had been made to the Crown Agent in Scotland in regard to the matter. In consequence of the Question asked the other day, the Lord Advocate had asked the police to report any cases of overcrowding which might come under their notice. The Merchant Shipping Act contained provisions against overcrowding, and if the Act were infringed the parties would be liable to prosecution. The authorities in Scotland would direct their attention to the subject.

STAFF OFFICERS OF PENSIONERS.

QUESTION.

MR. WYLD said, he would beg to ask the Secretary of State for War, If his attention has been called to the grievance felt by some of the senior Staff Officers of Pensioners, because the Memorandum, dated War Office, 15th March, 1842, promising that their situation should "be considered a full pay appointment," has not been carried out, many of them having been induced to leave other "full pay" situations in order to obtain it; and also, to the fact of the retiring allowance granted to them being considerably less than that given to other paying officers holding likewise home appointments, but whose duties and money responsibilities are not nearly so great as those of the Staff Officers of Pensioners?

SIR JOHN PAKINGTON said, that so far as he could ascertain, the senior Staff Officers of Pensioners did hold, and always held, full pay appointments. He was not aware that the Staff Officers had any reason to complain of their retiring allowances. The appointments were in his hands as Secretary of State, and hardly a day passed that he did not receive the most pressing applications from officers to hold their appointments.

ARMY MEDICAL WARRANT OF 1858.

QUESTION.

MR. SYNAN said, he would beg to ask the Secretary of State for War, Whether so much of the Army Medical Warrant of the 1st October 1858, as has not been expressly cancelled by the Warrant of the 1st April 1867, is still in force; and, if so, whether it is to be acted upon; and, whether any order has been issued, and by whom, and when, to carry out the recommendations of the Committee of 1866, in relation to Army Medical Officers, and if same can be laid upon the Table of the House?

SIR JOHN PAKINGTON said, he had already stated that all parts of the Army Medical Warrant of 1st October 1858, which were not specially repealed, were in force and acted upon. The recommendations of the Committee of 1866 consisted of two parts—one financial, and the other relating to discipline. The former had been carried into effect, and he should lay a copy of the Warrant on the table. The latter had been referred to the Horse Guards to deal with it. They had not yet issued their decision; but they had acquiesced in the recommendation to the extent he had stated on a former occasion.

PRIVATE POSTAL SERVICE.

QUESTION.

Mr. BAXTER said, he would beg to ask the Secretary to the Treasury, Why the Postmaster General, notwithstanding the offer to carry Letters free of charge, declines to allow the insertion in *The Postal Official Circular* of the names of Steamers sailing from Liverpool at stated periods to Brazil and other places, whereby the public is deprived of the opportunity of more frequent and quicker communication with those places in addition to the Post Office Mails?

Mr. HUNT said, the practice of publishing in the *Postal Official Circular* the names of private ships carrying letter bags had been discontinued some years ago, the information being often calculated to mislead the public, as the vessels did not always sail at the time appointed. It was not accurate to say that the steamers sailing from Liverpool to Brazil carried letters free of charge, because they received certain gratuities for carrying letters to Brazil and other places. The public were not deprived of the opportunity of sending letters by those steamers, because if they were addressed to go by private ship they were sent by the first that sailed.

Mr. BAXTER gave notice that early next Session he should call attention to the whole system of the Packet Service, and would move certain Resolutions thereon.

ARMY—MARCH OF TROOPS TO HOUNSLOW.—QUESTION.

Viscount CURZON asked the Secretary of State for War, Whether he is in a position to give further information to the House as to the circumstance of the Troops coming up to Hounslow for the review, not receiving their rations till 4 o'clock in the afternoon of their march from Aldershot?

Sir JOHN PAKINGTON: Since I was asked a Question on this subject on a former evening, I felt it my duty to institute a close inquiry into the circumstances to which the Question referred, which has deeply interested the public mind, and which cannot be considered creditable to the military service. I find that on the 25th of June a requisition which I now hold in my hand, was issued from the

Quartermaster General's Department to the Deputy-Commissary General, intimating that a brigade of cavalry, with a military train, numbering about 1,200 men, would march from Aldershot to Hounslow, on Wednesday the 3rd of July. The requisition goes on to say—

> "And it is requested that the necessary arrangements may be made for the issue of rations and forage to the men and horses during their stay at Hounslow Heath."

I can only arrive at the conclusion that the Deputy Commissary-General, to whom this requisition was addressed, was the officer responsible to see that this requisition was carried out. In justice, I am bound to say that it has been occasionally, if not always, the practice that troops on the day of march should take with them provisions for that day. I am also bound to say that the officers connected with this brigade were not altogether free from something like want of care. The General commanding the brigade decided upon marching at a very unusual hour; and I believe the officers commanding the regiments of which the brigade consisted might have received some portion of the provision which they required if they had taken care to apply for it. But I feel, on the other hand, that some one must be held responsible for the supply of rations to the troops. It would not do, in such a case, to say that one officer might have done this and another officer might have done that. Here was a requisition directed to the Deputy Commissary-General, requesting him on the 25th of June to provide for the accommodation of the troops on the 3rd of July—thereby giving him ample notice; and I hold that it was the duty of that officer to have made whatever inquiry was necessary for the purpose of carrying out those arrangements, and that if anything went wrong the responsibility must rest with him. I am convinced from the character of that officer there was nothing like intentional neglect; but, at the same time, it is absolutely necessary that proper care should be taken of the troops, and it is my intention to remove that officer from the London district.

Lord DUNKELLIN asked whether this was the only accident that happened to the troops moved up to the Review, or whether there were other cases?

Sir JOHN PAKINGTON said, he had not heard of any other cases of neglect of the troops on their march to the Review.

THE 13TH HUSSARS.—QUESTION.

Mr. TREVELYAN said, he would beg to ask the Secretary of State for War, Whether it be true that a second Major is to be appointed to the 13th Hussars; and, if so, whether the step will be given in the Regiment without purchase?

Sir JOHN PAKINGTON said, that the 13th Hussars were now serving in Canada, and that he had no intention of appointing a second Major to that regiment.

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.—QUESTION.

Sir LAWRENCE PALK asked the Secretary of State for Foreign Affairs, Whether it is his intention to take any steps to record the opinion of the House of Commons on the murder of the Emperor Maximilian and his Generals?

Lord STANLEY: Sir, It is not the intention of Her Majesty's Government to ask the House to take any steps of the character proposed by the hon. Gentleman. I am sure we all sympathize with his feelings, and every one, I think, will agree in lamenting the violent and untimely death of a gallant and amiable gentleman, whose high spirit and enterprize, under happier circumstances, might have rendered him distinguished either on the battle-field or in the councils of Europe. But if we are asked to record a judgment of this House upon his execution I confess I see very grave objections to a step of that kind. I do not see how we could come to any such Resolution, or how we can even discuss it without entering into a general debate upon the merits and policy of the Mexican expedition — into the position and *status* of that unfortunate Prince, and the right by which he claimed the possession of supreme power in that country. All these circumstances it would be necessary to consider, and some of them would, I think, have a very material effect on our judgment. I do not think this would be the right moment to choose for a discussion of that kind, especially as it is one on which great difference of opinion might arise. Then, again, comes the question of precedent. We might, I think, if we accepted my hon. Friend's suggestion, set a precedent which might embarrass us very inconveniently on some future occasion. This is not the first case — and, unhappily it is not likely to be the last — when the triumph of one party, after a protracted civil war, has been followed by an unwise, a lamentable, and a sanguinary act of revenge. Are we in all these cases to take notice of such acts in this House, and pass a Vote of Censure upon them? If we are not to do so in regard to them all, on what principle are we to draw a distinction? That is a question which the House would have to consider. And lastly, Sir, I would say—though I say it with great respect—that, great as are our power and our influence, we are the Parliament of the United Kingdom, and not the Parliament of the world. We are in no sense responsible, directly or indirectly, for the lamentable event which has occurred; and I think it is very doubtful whether a habit of international criticism in Parliamentary debate would be found practically useful or conduce to a good understanding between nations.

Mr. OTWAY wished to ask the noble Lord, whether Her Majesty's Minister accredited to the late Emperor of Mexico is not at present in England; and, whether, after the statement recently made by the Prime Minister that the execution of the Emperor Maximilian was "a base, cruel, and unnecessary murder," it is the intention of Her Majesty's Government to advise Her Majesty to accredit a Minister to the President of the Mexican Republic, or to withdraw her legation from Mexico?

Lord STANLEY: It is true that Her Majesty's Minister accredited to the late Emperor of Mexico is now in England on leave. His duty is discharged during his absence by the Secretary of Legation acting as Charge d'Affaires. But that Gentleman was only accredited to the late Emperor, and with the death of that unfortunate Prince his credentials lapse. No question, therefore, has arisen, or can arise, as to his withdrawal. The gentleman left in charge had received, before this lamentable event occurred, instructions not formally or officially to recognize any new Government which might be formed in the case of the downfall or overthrow of the Mexican Empire, but to confine himself, pending the absence of official instructions, to looking after any matter which might arise affecting British interests. The question whether anybody shall be accredited to the Government of President Juarez is not, I think, one on which we are called to decide in haste or under the influence of temporary feelings. We do not yet know what is the real state of Mexico, how far Juarez is really *de facto* master of the country, or what are the chances of his power being permanent. Upon that ground—setting aside altogether what has lately happened —I should object to any precipitate decision with regard to renewing diplomatic relations with Mexico. But as to the permanent suspension of those diplomatic relations, the objection to that course is, I think, a very obvious one. It would do no hurt, or only very little, to the Mexican Government—for I believe the principal business of a British Minister in Mexico is to urge upon that Government various British claims, to which it is not, perhaps, very agreeable to them to listen. It would do no harm to that Government to suspend diplomatic relations with them, but it would be a very serious thing for British interests and for those British subjects who have claims upon it. They are not responsible for the late deplorable proceedings, and I do not think it would be fair to make them suffer for them.

LAND REVENUES OF INDIA.

QUESTION.

MR. WATKIN said, he would beg to ask the Secretary of State for India, Whether the statements in a letter from *The Times*' correspondent at Calcutta, dated 3rd June—namely, that the Secretary has given orders that no part of India is to receive a permanent settlement of the Land Tax which was likely to be affected by canal water within the next twenty years — such orders being a reversal of the policy of Lord Canning and of Lord Halifax, and likely to be injurious to many native landowners, and to the survey and settlement which are going on at a cost of £250,000 sterling, are founded on fact; and, whether he proposes to lay any Papers before the House?

SIR STAFFORD NORTHCOTE said, the statement to which the hon. Gentleman referred was certainly founded on fact; but at the same time it was so phrased as to convey an erronous impression of what had been done. The hon. Gentleman put his Question as though the policy of Lord Canning and Lord Halifax was precisely identical in that matter, which was not the case. Lord Canning originally proposed that in cases in which no considerable increase was to be expected in the land revenue, a permanent settlement should be granted. That

Lord Stanley

was the effect of Lord Halifax's despatch in 1862; and all that had been done since then had been to explain the somewhat indefinite terms of that despatch. The first and the principal explanation was given in a despatch from Lord Halifax in 1865, in which the principle was laid down that a permanent settlement was to be granted in the case of land, of which a certain percentage was brought under cultivation; and in that despatch it was stated that it was under consideration what was to be done with regard to the lands which were subsequently to have the advantage of canal irrigation. Last year the question what was to be done in the case of lands receiving canal irrigation after the permanent settlement was brought before Earl de Grey, who, in a despatch of March, 1866, laid down the principle that no permanent settlement should be granted in any case in which lands were likely to receive a canal irrigation according to the scheme at present in contemplation. The language of Earl de Grey's despatch was considered by some people in India not very clear, and the question arose as to the exact meaning of its terms. A despatch came from India in the beginning of this year asking for a clearer definition of a despatch of his own to which the hon. Member referred, and in which he had defined what was taken to be the meaning of Earl de Grey's despatch. He thought it would be inconvenient to raise a discussion in the House on that subject, which was rather intricate, but he would lay on the table all the Papers, including the three despatches to which he had alluded. He would only take the liberty of saying that he had not reversed the policy of his predecessors, but had only given a definition of what he believed to have been their meaning.

THE NAVAL REVIEW.—QUESTION.

SIR ROBERT PEEL: I wish to put a Question to the Chancellor of the Exchequer in reference to the forthcoming Review at Spithead. I understand that accommodation is to be provided for only about 420 Members of this House, whereas we number altogether 658. It is true that we may not all want to go to Spithead; but I recollect that Lord Halifax, when First Lord of the Admiralty, provided on a similar occasion accommodation not only for every Member of the House of Commons, but for two or three friends of each Member in addition. I was myself a Member of the Board of Admiralty at the time, and I had several tickets to dispose of. Now, I hope the Chancellor of the Exchequer will be able to inform us that ample provision will be made for every Member of the House who may wish to go to see the Review on Wednesday next, because I am told, Sir, that many of us, in consequence of not having put our names down on your list, may be precluded from the advantages of witnessing that great display?

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Baronet gave me no notice that he was about to make an inquiry of this complicated and delicate character. I should be very sorry, indeed, to trench in any way upon the privileges of Members of this House, but my impression is that on the former occasion to which the right hon. Baronet has referred, the accommodation provided turned out to be in excess of the demand made upon it. Everything, no doubt, will be done on the present occasion which ought to be done to provide for Members of this House the necessary accommodation. I heard the other day that it was estimated about 450 Members would probably go to see the Review; but I have since heard from the highest authority in the House that only 330 Members applied to have their names put down.

SIR WILLIAM GALLWEY asked, whether it was true that the Members of the Government were to be conveyed to see the Review in a large ship, equal in size to that which was set apart for the conveyance of the Members of the two Houses of Parliament? He hoped not, because a better arrangement would, in his opinion, be that the Government should go in the same vessel as the Lords and Commons, and that the ship which was said to be intended for them should be set apart for the accommodation of ladies and friends of Members.

THE CHANCELLOR OF THE EXCHEQUER: I am sorry my right hon. Friend the First Lord of the Admiralty happens to be just now at Portsmouth. We can, however, telegraph to him for information on this subject, and communicate the result to the House should it sit until we receive a reply. I think my hon. Friend will excuse me if I am unable to give him at this moment a more definite answer.

TRADES UNION COMMISSION ACT (1867) EXTENSION BILL—[BILL 227.]

(*Mr. Secretary G. Hardy, Mr. Sclater-Booth.*)

COMMITTEE.

Order for Committee read.

MR. GATHORNE HARDY, in moving that the Speaker do now leave the Chair, said, he proposed briefly to state its objects. He presumed that every one had seen the accounts which had appeared in the public press of the evidence given by the witnesses who had been examined before the Assistant-Commissioners appointed to inquire into the circumstances connected with the trades outrages at Sheffield; and all were, he had no doubt, animated by feelings of indignation and disgust at the state of things thus revealed. Subsequent to the completion of a considerable portion of their labours the Commissioners had informed him that they were in possession of information which led them to the conclusion that it would be desirable to extend to other places—at least to one other place—the same kind of investigation that had been made at Sheffield. Having heard their statement he confessed he had deemed it expedient that some such inquiry should be instituted, to ascertain whether the outrages brought to light at Sheffield were confined to that town, or, whether a similar system prevailed in other parts of England. Under those circumstances he undertook to bring in the Bill now before the House extending the provisions of the Act relating to Sheffield to such places as the Secretary of State, on the application of the Commissioners, might deem it proper to apply it. The Bill, it would be observed, did not confer an absolute power on the Commissioners to institute an inquiry wherever they might think fit. They must, in the first instance, make application to the Secretary of State, before whom such facts must be produced as to satisfy him that such an investigation was necessary, leaving it entirely to his discretion to determine whether it should be instituted or not. That was the simple object of the Bill. No names of places were specified, inasmuch as he deemed it more advisable to give general powers to the Commissioners to call the attention of the Secretary of State to any information which they might receive, without specifying any particular locality, as in the case of Sheffield, for the mention of which there was, no doubt, ample justification. He had no wish, he might add, to make any statement on the subject which might seem to be too strong; but the Commissioners stated that they had received information which would bring to light matters very discreditable to the districts concerned ; and the best means of healing those wounds in our social system which led to the appointment of the Commission originally was, in his opinion, to lay them open, however disgraceful they might be.

Moved, "That Mr. Speaker do now leave the Chair." —(*Mr. Secretary Gathorne Hardy.*)

MR. W. E. FORSTER said, he did not rise for the purpose of throwing any obstacles in the way of the Bill. In this sad, distressing, and most important matter the responsibility had been assumed by the Government, and it would not become a private Member to interfere. He was glad that the right hon. Gentleman did not propose to give the Commissioners the power in the first instance of extending the inquiry beyond Sheffield, or that inquiries should be instituted in any other places until he—the Secretary of State—was satisfied as to the grounds on which it was proposed that the inquiry should take place. Before, however, the unprecedented powers given in the case of Sheffield were sanctioned in the case of other places, he might be allowed to refer briefly to what had happened in that town. Nobody could allude to the terrible and distressing disclosures there brought to light, without feeling how deep a stigma they were calculated to cast on the honest and manly character of Englishmen. He, as an Englishman and a Yorkshireman, felt deeply the disgrace of having found Yorkshiremen capable of being hired for the purpose of dastardly assassination, and other Yorkshiremen capable of hiring them. He thought, however, that the truth should be arrived at, and that if the disgrace attached to other parts of the country, it should be exposed. If fresh legislation was required it must be to do everything in their power to prevent any oppression by one body of workmen over their fellows, while every facility was given for justifiable and lawful combination. He must, however, ask whether it was necessary to pay the price for the information which we were paying in the case of Sheffield. The case of Sheffield was unprecedented in the annals of England ; but it certainly was as unprecedented that murderers of the worst description, who had been committing crimes for years, should be allowed perfect immunity. He never heard of such a case in the annals of this or any other country. All that was required to enable a murderer to be perfectly free was that he should come forward and confess. These men were relieved from the terrible anxiety which must have been upon them lest justice should overtake them, and were set free by the Legislature. He could not help doubting whether it was necessary to give the immunity to all. He cast no blame upon the Commissioners. Mr. Overend had conducted the inquiry with the greatest possible ability ; but the result had been that all who were concerned in these murders had been pardoned. When the Bill was brought before the House at the beginning of the Session, he ventured, as a magistrate of Yorkshire, to express some doubt, not being informed that the police had given up all hope of discovering the murderers, whether Parliament ought to take the matter out of the hands of the police and magistrates, and offer free pardon to the offenders. He was met, however, with the convincing statement that the murders in Sheffield had probably been committed at the instigation of some one behind the scenes; that the actual perpetrator was not so bad as the instigator; and that, if the Government was empowered to tempt the actual perpetrator to confess his crime, they would be able to fasten upon the instigator. It was true that there was no precedent for the actual perpetrator of a crime being admitted as Queen's evidence; but he felt this case was so exceptional that he could make no objection to what was proposed. But what had actually been done? Hallam, who was the actual perpetrator of the murder, came forward and gave evidence with respect to it; and, if the police of Sheffield had been worth anything, it would surely have been possible for them, after having received the evidence of Hallam, to fasten the crime upon Crookes and Broadhead. That, he regretted, had not been done; but, on the contrary, the instigators, Broadhead and Crookes had been pardoned, and the Commissioner, in open court, announced that any one who had committed murder in connection with trades outrages had only to come forward and tell the Court all about it, in order to procure a free pardon. He hoped the House would understand that he had no feeling of vengeance against any of these men; but it was important that care should be taken lest by their legislation they sapped the principles of justice in the minds of those for whom they legislated, and their idea of the heinousness of the crime of murder. He could not help thinking that the extraordinary course that had been taken would, to some extent, have that effect. It was stated in the former debate that the object of the punishment of crime was the prevention of its recurrence. But prevention was not the sole object. They all felt the necessity, in order that the law should be asserted, of inculcating the notion that justice must be executed throughout the country, and it would be bad policy, even upon the question of expediency and prevention, that they should allow a different notion to enter into the minds of the masses. He might be told that in these cases public opinion did that which the law failed to do. But when they found what had happened at Sheffield, they had reason to doubt whether they had not gone too far in shaking the principle of justice in the minds of these men. The crime was extraordinary; the utter failure of the police was extraordinary and disgraceful; but as extraordinary as either of these was, the simple fact that the man who had been planning murder for years, and setting persons to destroy certain others, quite reckless as to who else might be killed in the attempt, actually asked for money to pay his expenses in going to make his confession. If public opinion had really been at work in Sheffield, it would have been impossible for Broadhead to have made that claim. That which was the only possible excuse for these crimes was the idea that the perpetrators were not murderers, but were carrying on a social war between classes; and the object of Parliament should have been, if possible, to prevent that idea; but he was afraid that they had done something towards encouraging it by showing their great anxiety to obtain information, while they were careless as to what its effect might be upon the principles of justice in the country. Broadhead, it appeared, was driving a good trade as a publican in consequence of his evidence before the Commissioners, his house being filled with persons who went to hear about the murders, and Crookes being the hero of the bar-room. He believed the working men throughout the country were generally as much shocked at these proceedings as that House was; and in *The Beehive*, a weekly paper belonging to the trades unionists of London, there was last Saturday a leader describing, in terms of fitting condemnation, a state of things in Sheffield which might well induce Parliament to pause in what they were now doing. The writer stated, upon the information of a person thoroughly acquainted with the leading characters in the abominable outrages which had taken place, and who had come from Sheffield within the last few days, that it was highly probable that, after the inquiry had closed, Broadhead would be re-elected as secretary of the Saw-Grinders' Union. He trusted the statement was not true; but it was evident that the working men of London had reason to suspect that it might happen; and therefore he trusted that the House would consider whether, in their anxiety to get at all the facts with regard to trades unions, they had not gone further than they ought in making terms with murderers. He had not the slightest idea of taking upon himself the responsibility of interfering with the passing of the Bill; but he hoped the Government would be sensible of the truth of that which he had brought before them.

MR. GLADSTONE said, he could not but express a hope that the powers given by the Bill would be used with great reserve. Undoubtedly, it was very shocking to the public mind and conscience that parties so deeply stained in guilt should go forth to the world and become objects of that depraved curiosity which was always the passion of a certain portion of society, and which made murderers invariably objects of interest to many who had not the slightest sympathy with the crime. He, like his hon. Friend (Mr. W. E. Forster), who was perfectly right in not questioning the decision of the Government, who were the proper judges in a matter of this kind, trusted that the most severe restraint would be exercised in the employment of the power which the Bill conferred, and that no indemnity would be granted except under the gravest and most peculiar circumstances. He did not hesitate to say that, if they were to see the case of Sheffield repeated in half-a-dozen or a dozen towns—that was to say, similar outrages brought to light to the same extent, together with the same number of indemnities or pardons, as the price of the information—they would lose, on the whole, a great deal more than they could gain by the powers proposed to be given by this Bill; for what was requisite for legislation they knew already. He would not presume to say that the House should refuse the Government the powers for which they asked; but he hoped they would be exercised with the utmost reservation and caution.

MR. HADFIELD said, he cordially concurred with the hon. Member for Bradford (Mr. W. E. Forster) with regard to the Sheffield outrages. He would remind the House that the appointment of the Commission was originally sought by the masters, but was subsequently supported by the workmen, who were much struck by the fact that, notwithstanding the £100 offered by the Government and the £1,000 by the inhabitants of Sheffield, no clue to the perpetrators of the outrages could be discovered. For his own part, he begged to express his thanks to the Government for sending that Commission to Sheffield, as it had led to the discovery of the perpetrators of these outrages. A public meeting, attended by 15,000 working men of Sheffield, had unanimously expressed its horror and shame at the facts which had been brought to light by the Commission. He deeply regretted that the perpetrators of these terrible outrages had escaped the punishment due to their crimes.

MR. BOUVERIE said, that while he regretted that punishment had not overtaken the perpetrators of these crimes, he could not agree with the hon. Member for Bradford (Mr. W. E. Forster) in condemning the course that had been taken in reference to this subject. The first step to be taken, when they found that such a hideous disease, as that disclosed by these inquiries, infected any portion of the people, was to endeavour to ascertain its extent and depth, and, so far as he could see, no course could have been adopted for that purpose more efficacious than that which had been followed in the present instance. The hon. Member for Bradford talked about sapping the sense of justice among the population of Sheffield by the course which had been taken by the Commission; but he thought that their sense of justice must have been already sapped before such deeds could have taken place. The hon. Member for Sheffield (Mr. Hadfield) had observed that the inhabitants of that town had shown their horror of these outrages by offering £1,000 for the discovery of their perpetrators, and had expressed their indignation and shame that the perpetrators could not be discovered. But it must not be forgotten that the very miscreant himself who had plotted and planned them all—Broadhead—had not only expressed his indignation at these acts of violence, but had actually offered a reward on behalf of the community to which he belonged for the discovery of the perpetrators. When it was proved that a reign of terror of this kind existed, it behoved Parliament to take steps to bring the whole system upon which it was founded to light, and the first step to be taken in the matter was to ascertain, by means of inquiry, the extent and depth of this horrible wound. If it was supposed that practices of a similar kind to those brought to light in Sheffield existed in other parts of the country, and the means hitherto adopted had failed to discover the perpetrators, it was the duty of the House to give the Government its support by passing this Bill.

SIR GEORGE GREY said, he admitted the importance of discovering the perpetrators of these crimes, and the system under which they had been committed, and, in the case of Sheffield, he thought there was good reason for the course which had been adopted for that purpose. No doubt in Sheffield outrages of the gravest description had been committed, the perpetrators of which the police had been unable to trace; but when the powers which were granted in that case were proposed to be extended to other places he agreed with the suggestion that great care and reserve should be exercised in the employment of those powers. He thought that the utmost care should be taken to hold out no offers of immunity except where there was no chance of the perpetrators being discovered and brought to justice. He was sure the Home Secretary would feel the importance of the suggestion, and he hoped that before the discussion closed the right hon. Gentleman would be able to give the House some information as to the principle on which he proposed to proceed. He did not know what cases the Commissioners had in view; but supposing that some gross outrage had been recently committed, and the police were endeavouring to discover the offenders, he hoped that care would be taken that any prospect of discovering and punishing the perpetrators might not be baffled by persons being invited to come forward and obtain an indemnity for their crimes, instead of being made to answer for them in a Court of Justice. This was a very exceptional case, and nothing but an exceptional case would justify the course they were pursuing. Any person who had read the evidence given before the Commission would recollect that those who had been proved to be guilty of these outrages had added to their other crimes by denying upon oath in the first place any knowledge of the crimes to which they had afterwards confessed. It was in every sense most desirable that these indemnities should be limited as far as possible; for it was most humiliating to the sense of justice in this country that those who had confessed to having perpetrated these outrages should not only escape punishment but should quietly resume their daily avocations without being driven from the town by the indignation of their fellow-citizens. So far from such indignation being expressed, he was sorry to see, from what appeared in the newspapers, that Broadhead was driving a good trade as a publican in consequence of the notoriety he had attained. He trusted that he would not be permitted to continue that business one single hour after the magistrates could legally interfere, by refusing to renew his licence. He was also greatly surprised to find that a clergyman, doubtless actuated by a benevolent motive, had interceded with the employers of Crookes, the actual murderer, in order to induce them to receive him back into their service, from which they had properly dismissed him, on the ground that his wife and children would be reduced to distress, and that he would be thrown into temptation to commit fresh crimes, should they not do so. He was, indeed, surprised that any of his fellow-workmen would consent to associate with him for a single day. He hoped some better feeling would arise in Sheffield, and that it would free itself from the odium which attached to it in consequence of the perpetration of these crimes by showing in a marked manner that it did not sympathize with them. If the Government obtained the power which this Bill was intended to confer, he hoped it would not be exercised in cases where the guilty parties might be made amenable to punishment.

MR. BAILLIE COCHRANE said, he entirely concurred in what had fallen from the right hon. Member for Kilmarnock (Mr. Bouverie). He thought that the information which had been obtained through the means of this Commission was of the utmost value. When he had brought this question forward last year, the House received his statements, as to the proceedings adopted by the trades unions, almost incredulously. Since that time he had had papers put into his possession which proved that these inquiries ought to be extended a great deal further. They frequently read in the papers accounts of accidents arising from men falling from scaffolds, or of scaffolds falling and injuring workmen. He was informed that in many cases these so-called accidents were really premeditated crimes, the scaffolds having been purposely rendered insecure by the orders of the trades unions. The House would admit that this was a terrible state of things, especially when it was recollected that out of the 800,000 working men in this county 530,000 belonged to these unions. This system of tyranny involved a much wider question than the mere discovery of the perpetrators of the outrages at Sheffield, as by it the means of supporting themselves was taken from the workmen, and their wives and families were forced to starve. The right hon. Gentleman (Mr. Gladstone) had suggested that these inquiries might be carried too far. Now, he (Mr. Cochrane) wished that the right hon. Gentleman the Secretary of State would carry the inquiry further, and could devise some means for getting at the secret papers and secret rules of these societies, which he was afraid would show a terrible state of moral degradation on the part of those by whom these societies were administered and governed.

MR. THOMAS HUGHES said, that if the hon. Member (Mr. Baillie Cochrane) had been engaged, as he had been during the last few months, in an inquiry into the operation of these unions, he would not have spoken so broadly and sweepingly of them. With regard to the special subject of this Bill, the matter rested entirely with the Government, and if they took the responsibility of extending the inquiry, he should be the last to say one word against it. He quite agreed, however, with his hon. Friend the Member for Bradford (Mr. W. E. Forster) that there was no necessity for extending the indemnity clause. He was convinced from the experience he had had in Sheffield that, without that clause, there would have been very little difficulty in ascertaining the perpetrators of the outrages in that town; and that if three such competent lawyers as those who were sent there had gone down with a Commission, but without any power of indemnity, there were dozens and dozens of men in Sheffield who would have come forward and given evidence sufficient in skilled hands to enable them to ascertain and pick out the miscreants who had committed these outrages and bring them to justice. ["No, no!"] The outrages, it must be remembered, affected one or two small trades, which could be ear-marked, not only at Sheffield, but at other places. He really thought that if the Government did give these extreme powers they should re-consider the indemnity clause, and take particular care that the perpetrators of these outrages were not indemnified in the wholesale way in which it had been done at Sheffield. This wholesale indemnity must have a very evil effect upon the population generally.

Mr. POWELL said, he trusted that the statement of the hon. Gentleman, that dozens and dozens of men at Sheffield could have given evidence, without the indemnity, sufficient to bring the outrages to light and lead to the conviction of the offenders, was not accurate. The Courts of Justice had been open all along, there had been magistrates and police anxious for information, and if there had been numbers of persons in a position to bring this revolting plot to light, and who had yet refrained from doing so till the indemnity was offered, the disgrace resting on Sheffield was deeper even than had been supposed. When the inquiry was first proposed it seemed to him that the outrages were so remarkable as to require exceptional powers of investigation; and the result had justified that opinion, and had revealed a condition of society probably unparalleled in any town in the civilized world. The secrets of this horrible tribunal had been revealed — for trades unions were in fact a tribunal like the Inquisition, conducting their deliberations in secret, and enforcing their edicts by penalties equalling in severity any criminal code. He hoped greater care would be shown by the Commissioners as to the examination of witnesses in future inquiries; for though, when the proceedings of these unions were completely unknown, it might have been proper to welcome evidence from any quarter, the Commissioners were now better aware of the state of the case, and he thought it might now be sufficient to call a few witnesses, in order to elicit sufficient evidence to lead to the conviction and punishment of those whom they might implicate. As to the perjury committed by witnesses at Sheffield, he believed that this offence was distinctly excepted from the indemnity, and men who had at first denied their complicity in these outrages, and had afterwards admitted it, were therefore amenable to prosecution. He hoped the power to give indemnities would be exercised with great discretion.

Mr. NEATE said, he thought the Home Secretary ought to exercise great discretion in sanctioning inquiries to be held under the powers of this Bill. He (Mr. Neate) did not believe the working classes generally were implicated in these outrages. He was not aware that atrocities like those at Sheffield had been committed elsewhere, though no doubt in different parts of the country there had been many trades' outrages of a lesser kind, and men had been assaulted and beaten for not complying with the rules of the unions. These cases might be ascertained by making inquiries of the police, and he hoped the Home Secretary would show great caution in exercising the powers with which he was invested by this Bill. He observed that Mr. Overend, the Assistant - Commissioner, had said that these outrages showed the necessity of greater legal protection for the unions, and he wished to know whether the right hon. Gentleman concurred in that inference.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power to extend Act to other Places).

Mr. GATHORNE HARDY said, he desired to offer a few remarks on what had passed in reference to this Bill. He quite agreed that this legislation was exceptional, and that exceptional legislation of this kind should not be resorted to unless the circumstances were themselves exceptional. He admitted, too, that such inquiries were to be set on foot for the purpose of bringing to light—not crimes which it was within the proper province of the police to ascertain, but crimes which had been concealed by a combination of persons who ought to have revealed them, but who had not done so. If the hon. Member for Lambeth (Mr. Thomas Hughes) was correct in stating that there were numbers of people in Sheffield who would have given the information without an indemnity, he could not but ask him how it was that these outrages had been so long undetected? He remembered that when he first went to the bar, Sheffield was pointed out by his friends on the Northern Circuit as a place where outrages were going on and where no evidence could be obtained. The fact was that society at Sheffield—speaking not of the towns-people generally, but of these particular combinations—had been rotten at the core. These crimes had been going on for so long a time that there had arisen an utter recklessness as to the acts which were resorted to, and the disclosures at which the public had been so much shocked had only brought to light what had been long going on. He could assure his right hon. Friend (Sir George Grey) that he was sensible of the responsibility which the Bill imposed upon him in reference to these inquiries; but he was glad to think that at the head of the Commission was one of the most eminent Judges who had ever sat on the English Bench (Sir William Erle); and he was sure that these exceptional powers would only be applied for in cases where the truth could not be arrived at without them. With regard to the indemnity, it was painful to reflect that the perpetrators of such crimes should go unpunished; but the fact was this—they got a certain amount of evidence from one witness, which perhaps implicated another person; the examination was pressed, and then the witness asked whether, if he stated such and such things of another man, that man would be allowed to come forward and obtain the indemnity; then when these persons were called forward they confessed not only to the crime in which they had been thus implicated, but to other crimes, as to which the Commissioners had no information, and which were thus brought to light. The result was that the inquiry had shown that these were not isolated transactions, but that there existed a system which could be only exposed by promising an indemnity. It appeared that although the police constantly suspected that these outrages sprang from certain members of trades unions, and that they were done by them for offences against their rules, yet so secretly were they carried on that in hardly any instance had they been able to sift these cases to the bottom or bring the perpetrators to justice. In one of the worst cases many years ago the parties were brought to justice because they threw on the fire a barrel of gunpowder which exploded before they could get away, and they were so injured that they were taken on the spot. But in similar cases it happened over and over again that the police could obtain no information, and the parties were never brought to justice. If it were true, as the hon. Member for Lambeth (Mr. Thomas Hughes) believed, that there were people ready to reveal these transactions fully without these extraordinary powers being granted, he was sure that Sir William Erle would never have called upon the Home Office to assist him with exceptional legislation, because he had the power of calling these witnesses before the Commission without such exceptional legislation and getting these facts proved. It was because the Commissioners stated that it was impossible to do so without exceptional powers that he had brought this Bill before the House, and asked them to agree to it.

Mr. W. E. FORSTER considered it was most desirable that those scandals should be exposed, and no persons were more desirous that they should be exposed than the great majority of the working men and of the members of the trades unions. On looking to the evidence it would be found that the evidence of Hallam was not given on the condition that an indemnity should be given to Crookes and Broadhead. The power should not be so used as to make it impossible to punish any of the criminals. With the knowledge of what had passed he could not help thinking, if they had to do the thing over again, Hallam's evidence would certainly be made use of as Queen's evidence for the conviction of Crookes and Broadhead. The effect produced would have been far better if there had been a trial before the Judges. The heinousness of the crime of murder might be diminished in the minds not only of the Sheffield people, but of all men in the same condition of life, when they read the account of what was done, owing to the fact that the Legislature had made terms with murderers. He could not help thinking that the law must run the risk of being less powerful from the acknowledgment thus made of its utter uselessness to have justice done.

Mr. THOMAS HUGHES begged to observe in reply to a remark of the Home Secretary, that when that right hon. Gentleman went the circuit in Yorkshire the feeling in respect to these matters was very different from what it has become within the last three or four years. When he (Mr. Thomas Hughes) was there three years ago the feeling of the great majority of persons belonging to the trades unions had been softened by remonstrances from London and other parts of the kingdom in respect to those outrages, and there were persons amongst them who would only have been too glad to make a clean breast of it. He (Mr. Thomas Hughes) adhered to what he had said. Public opinion on this subject had undergone an immense alteration, and now the working classes in question were entirely in favour of this inquiry, and were ready to give all the information in their power. Under these circumstances, he could not help thinking that the indemnity was needless, or, if not, that it should be exercised most scrupulously and carefully. The working men at a great public meeting had resolved that, notwithstanding the disgrace that had fallen on the town, they were heartily glad that the Commission had been sent down.

Mr. HADFIELD said, that no place in Yorkshire in proportion to its population sent so few cases of crime to the assizes as Sheffield. He begged to know whether means would be taken to indemnify the persons who had given evidence in a Court of Law, in consequence of the statements made by them? The question was, were the Commissioners themselves free from all responsibility?

Mr. GATHORNE HARDY said, he would not answer the question off-hand. He would, however, ask the Commissioners whether such a clause was necessary for their own security, and for that of the persons who had given evidence before them; and, if so, to send him a clause to that effect? If it were necessary to insert such a clause he would take care that it should be printed before the Report was brought up.

Sir ROUNDELL PALMER said, he felt very strongly that there was only one compensation for the extensive disclosure of crimes of this description, accompanied by a promise of impunity, and that was the discovery of the means of prevention for the future. He had acted under this persuasion, when he gave his assent to the original Bill. It was impossible to shut their eyes to the extreme gravity of a proposal, not only to give, in one particular place, under particular local circumstances, indemnity for crimes of this description, but to extend the indemnity to all the towns of the kingdom. It had never before happened, to his knowledge, that Parliament had been called upon to take such a course, and it should only be taken for reasons of great public advantage. The mere disclosure was not of public advantage if the crimes disclosed were to pass with impunity. The disclosure could not be considered of public advantage unless it was anticipated that means would thus be discovered for the prevention of such crimes in future. The right hon. Gentleman the Home Secretary had spoken of something like a promise or undertaking given in the course of the examination that some of the witnesses should not only be indemnified themselves, but that any other person who might be implicated by them should not be proceeded against. He (Sir Roundell Palmer) doubted whether his right hon. Friend could have been correctly informed in this matter. He was aware that some such statements had been made, but he did not see how, under the Act, the Commissioners could give such an undertaking. The only indemnity they were authorized to give was upon a certificate that the witness had made a full and true disclosure touching all the matters upon which he had been examined. They could not give an undertaking to indemnify directly or indirectly any other person who might not satisfy this condition. If it should turn out that such a thing had been done, he must enter his humble protest against it.

Mr. AYRTON asked whether inquiry had been made into the conduct of the magistrates and the police of Sheffield in regard to these outrages. The magistrates all along had the legal power of summoning before them the members of the trades unions, and compelling them to give the information to a large extent which had been given to the Commission—that was to say, to produce all their proceedings, and examine them on oath touching them. No step, however, had been taken to vindicate the law during all that period, although the magistrates must have known pretty well what was going on around them. If the law had been firmly administered by the justices, a good deal of the facts would have come ou which were now disclosed to the Commission; and if the present investigation was carried further, it ought to be part of the duty of the Commissioners to inquire into the conduct of the justices of the peace or the stipendiary magistrates, as the case might be, with reference to the illegal practices of the trades unions. It was clear there had been a dereliction of duty on the part of the magistrates of Sheffield, as well as on the part of the people.

Mr. NEVILLE-GRENVILLE said, he thought the question a very proper one. An hon. Gentleman who was a sort of confessor in ordinary to the trades unions of the country in general, and to those of Sheffield in particular, had told them that there were people who, a long time ago, were ready to give evidence without any indemnity being granted them. He should like to know why on earth the magistrates or the police were not at hand to take the evidence which those people were ready to give, and why the perpetrators of these crimes were not at once fixed upon and punished as they richly deserved to be?

Colonel WILSON PATTEN said, he was not aware that any charge of dereliction of duty could be brought against the Sheffield magistrates. One of the chief grounds for appointing that Commission was that all the efforts of the magistrates and the police had been set at naught by these parties, and nothing could be clearer than that all those efforts had been so set at naught. If the hon. Member for the Tower Hamlets impugned the conduct of the magistrates, his best course would be to make a Motion in that House for an inquiry into that conduct. But as far as the evidence had gone, the fact appeared to be that the designs of these parties had been so covert, and had been carried out with so much secrecy that the ordinary course of justice was defeated.

Mr. POWELL thought another reason for the inaction of the magistrates, and other authorities, might be the reign of terror which had existed in Sheffield with such intensity that even persons who suffered dared to take no action in the way of prosecution, for fear of dangerous results to themselves, from the combinations that existed in the town. Some few years ago, there was a meeting of the Social Science Congress at Sheffield, and it appeared that a murder had been determined upon in that town before that meeting took place. During the presence of the philosophers, in order to throw dust in their eyes, that murder was postponed till the visit of the philosophers and philanthropists was over. As soon, however, as they were gone, the victim was followed day after day, week after week, and ultimately that fearful crime was committed.

Clause *agreed to.*

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

COURT OF CHANCERY (OFFICERS) BILL (*Lords.*)—[Bill 235.]

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL, in moving that the Bill be now read the second time, said, that the necessity for the Bill arose mainly from the enormous increase of business, in consequence of the winding-up of joint stock companies having been placed under the jurisdiction of the Court of Chancery. The business thus thrown upon the Court was of a very important character. These companies often consisted of many hundreds of partners, with conflicting interests, and many points of difficulty arose in connection with them. To show how great and how regular had been the increase of administrative business in the Court, he might mention that the number of orders made in chambers in 1862, was 4,900; in 1863, 5,400; in 1864, 6,200; in 1865, 6,800; and in 1866, 7,800. It was quite impossible to keep pace with the increasing business with the existing establishment; and the main object of the Bill was to confirm certain temporary appointments which it had been found absolutely necessary to make, and to give powers for appointing additional officers.

Sir ROUNDELL PALMER expressed his entire concurrence in the statement of his hon. and learned Friend. The state of things in the Court of Chancery was such as imperatively to require the additional assistance which the Bill provided. He also hoped that some means would be found for relieving the extreme pressure of business recently experienced in the Court of Appeal in Chancery. He need not state to the House the sense which all who were connected with that Court entertained of the very great and serious loss which the public had sustained by the unexpected and premature death of one whom no one acquainted with the administration of justice in that Court for some years past could ever remember without the highest admiration and respect for his public services, his eminent judicial ability, and his great integrity of mind. No one who knew Lord Justice Turner personally could think or speak of him without the strongest feelings of personal affection. If any judicial abilities could have met the great demand occasioned for some time past by the business of that Court, it would have been those of that learned and lamented person, and the able Colleague with whom he had been associated. It was of the utmost importance that steps should be taken to facilitate the despatch of business in that branch of the Court of Chancery, and he hoped that the present Bill, with such Amendments as might be deemed expedient, would be put into a law before the close of the Session, and might have some effect, even before the vacation, in lessening the arrears of business before the Court.

Mr. REMINGTON MILLS complained that while the business in the Accountant General's office had largely increased, the Bill made no additional provision for its satisfactory despatch. The office, he added, did not open for the receipt and payment of money till eleven o'clock, and he could see no good reason why that should be the case, since the banks opened at nine.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) replied that there were, he understood, certain circumstances connected with the Accountant General's office which placed it in a different position from ordinary banks with respect to the transaction of its business. His hon. and learned Friend had, however, authorized him to state that he would give the necessary explanations on the point when the Bill was committed.

Motion *agreed to:* Bill read the second time, and *committed* for *To-morrow.*

BANKRUPTCY (*on re-committal*) BILL.

[Bill 74.] COMMITTEE.

(*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General.*)

Order for going into Committee read.

The ATTORNEY GENERAL said, that when a Question was put to him a week ago as to whether the Government intended to proceed with the Bill in the present Session, he had some hope, though not a very sanguine one, that something might be done in the direction proposed even before the Recess. Looking, however, at the position in which the public business now stood, and the advanced period of the Session, he frankly admitted that it would be, in his opinion, impossible to go on with a Bill which contained 479 clauses, and to pass it, even if he were to ask the House to sit *de die in diem.* He therefore thought it his duty to move that the Order of the Day be discharged. He, however, believed that the care and labour bestowed on the measure had not been thrown away. The leading provisions of the Bill had been received with very general assent throughout the country, and he believed it would not be found expedient to introduce into it any very great alterations. The measure, at the same time ought, no doubt, to receive full and fair discussion, and he did not think that he should be justified in pressing it forward under present circumstances. The criticisms upon it which had reached him from all quarters, especially from the Chambers of Commerce, were, upon the whole, extremely favourable; the only adverse criticism, upon it as a whole, being contained in the statement that it was impossible to tell whether it was a debtor's or a creditor's Bill. That was, however, he thought, the highest compliment which could be paid it; for it was a Bill which had been framed in the interest of the whole community, and not of any particular class. In conclusion, he had only to say that he hoped to be able at the earliest possible moment next Session to introduce another Bill of substantially the same character, which would lead to the satisfactory settlement of a long vexed question. He begged to move that the Order for going into Committee on the Bill be discharged.

Mr. LEEMAN thanked the hon. and learned Gentleman for taking the course which he had adopted, inasmuch as the House was thereby secured from much inconvenience. He would suggest that before the measure was re-introduced, it should, as far as possible, be divested of the cumbrous machinery with which, as it now stood, the arrangements with creditors were surrounded.

Mr. NORWOOD also thanked the hon. and learned Gentleman for the great attention which he had paid to the subject, and the courtesy which he had manifested in dealing with it. The withdrawal of so important a Bill might occasion some disappointment in the country; but at the present advanced period of the Session, it could not, he thought, with advantage be proceeded with.

Order for Committee *discharged;* Bill *withdrawn.*

JUDGMENT DEBTORS' BILL.

BANKRUPTCY ACTS REPEAL BILL.

Orders for Committee read and *discharged;* Bills *withdrawn.*

POOR LAW BOARD, &c., BILL—[Bill 193.]

(*Mr. Sclater-Booth, Mr. Secretary Gathorne Hardy.*)

COMMITTEE.

Order for Committee read.

Mr. SCLATER-BOOTH, in moving that Mr. Speaker do now leave the Chair, said, he hoped the House would consent to go into Committee, and pass the unopposed clauses. He had no desire to proceed with those clauses on which Amendments were to be moved, and which might therefore give rise to discussion.

Mr. HIBBERT said, he hoped the Poor Law Board had considered whether it was desirable to proceed with those clauses which were so strongly objected to. The object of those clauses was to vest more power in the central authority, and to diminish that of the local authorities. The effect would be, if carried, to cause gentlemen in the country to retire from the discharge of what had hitherto been considered important local duties. He deprecated the idea of the Central Board interfering in the election of nurses, cooks, and other menial officers of county unions. The Board also wished to claim the right of appointment of auditors. That was also objected to by boards of guardians, because they believed auditors should be gentlemen residing in the locality. By the Bill before the House it was proposed to vest the appointment of chaplain and all the officers of the union workhouse in the central Board instead of in the guardians. He thought that part of the Bill most objectionable. He had no objection to the Board in London being made permanent, provided they were compelled to place on the table of the House all the general orders they issued, so that hon. Members might call attention to them, if necessary.

Mr. NEATE hoped the Government would not ask the House to go into Committee until they had had an opportunity of fully discussing the principle of the Bill, as was promised when the second reading was taken at a very late hour on a former occasion.

Lord GEORGE CAVENDISH objected to the appoinment of the auditors being vested in the Central Board. One of the auditors for Derbyshire resided in Wales, and recently he audited the accounts of three of the Derbyshire unions. They took him but a few hours altogether, but he charged each of the unions his travelling expenses from Wales. He thought that the sooner the auditor's accounts were audited by others the better. The auditors ought to be selected from persons residing in the district.

Mr. CANDLISH said, that if this Bill were passed every executive function would be centred in the Poor Law Board, and would most effectually destroy some of the most important duties of the local administration. Such a system would tend to deteriorate the character of boards of guardians, seeing that persons of respectable and independent character would decline to submit to be controlled at every turn they took in the administration of local affairs.

Sir J. CLARKE JERVOISE hoped the Bill would be postponed, in order that it might be more fully discussed.

Mr. AYRTON said, he did not think much good was to be done by a general discussion, since the clauses required much separate consideration, and he suggested that the House should go into Committee and pass the unopposed clauses, on the understanding that Progress should immediately be reported. He did not look upon this as an opportune time for making the Poor Law Board perpetual. The Union Assessment Act had only been in operation two years, so that we had as yet had but a very short experience of union administration — for until there was an equality of charge over the whole area there was no common interest, and each guardian perpetrated his own petty job. The Central Board had taken advantage of the weakness of that system to engross a great deal of power, and this had tended not to improve the administration of the Poor Law, but to deteriorate it and make it permanently inefficient. The rates were still made and collected by the parochial authorities, although they were now administered by the union; and while any portion of the old parochial system remained the administration must necessarily be defective. When we reaped the full benefit of union administration he believed the powers of the local Boards would have to be enlarged rather than diminished, and the object of Parliament should be so to improve the law as to render unnecessary the interference of the Central Board, with its largely-increasing staff and emoluments. He should wish to take the sense of the House on renewing it for five years only, during which time local administration might be made so efficient as to enable the country to dispense with it, or at least to contract its powers.

Mr. COWEN also protested against the tendency which the Poor Law Board had all along shown to deprive the local guardians of all proper power. The Board ought to relax its powers, instead of attempting to increase them at the expense of the guardians, which rendered it almost impossible to get men of respectability to undertake the office. He remembered when he was Chairman of a board of guardians that difficulty was felt, and the interference of the Board had rather increased than diminished since then.

Colonel WILSON PATTEN said, his hon. Friend (Mr. Sclater-Booth), who was not able again to address the House, was anxious at this period of the Session to get the Bill into Committee, but would not proceed with the clauses if it was the general wish that he should not do so.

Mr. WHALLEY concurred in the objections which had been made by hon. Members to the permanency of the Poor Law Board; but there was another evil to be guarded against. There was a danger that the Poor Law Board would use its powers in conformity with the new power that was rising in the country—that of the Romish priesthood. Let hon. Members look at the extraordinary clauses in this Bill, which related to the keeping of a creed register. Clauses 33 to 39 were very objectionable. The 34th provided that if a child had been baptized in a religion other than that of the father or mother the entry on the register should be made according to the baptism unless the father or mother otherwise required. It was constantly the practice for the Roman Catholic priests to get hold of children during the absence of the fathers at work, and without the knowledge of the mothers, and to baptize them by the dozen. These children were afterwards followed into the workhouses and the industrial schools, and they were brought up in the religion into which they had been thus surreptitiously baptized, and not in the religion of their parents. He was sorry that the Government had acted in collusion with the Roman Catholic priests in adopting these clauses.

Viscount GALWAY trusted that the Gilbert Unions would not be included in the Bill. They were carried on to the satisfaction of the ratepayers, and, as there were only a few of them, he hoped they would not be abolished.

Mr. J. B. SMITH regarded the Bill as an infringement of the great principle of self-government. He could not assent to the Motion to make the Poor Law Board perpetual, instead of renewing its powers from time to time. Who were the Poor Law Board? Every two or three years the President was removed by a change of parties, and Mr. Lumley and two or three other gentlemen ruled the whole of the kingdom.

Bill *considered* in Committee.

(In the Committee.)

Mr. SCLATER-BOOTH said, he had no wish, under the circumstances, to proceed with the first clause of the Bill, to which, however, he had no reason to suppose any opposition would be made. Some centralization was inherent in the very idea of a Poor Law Board, and, considering the powers given to the Board under recent Acts of Parliament, it was hardly consistent to limit the duration of the Board to five years. During the last few days deputations had been received from the guardians at Leeds, Manchester, Liverpool and other large towns, and none of them were otherwise than satisfied that the central authority should be placed upon a permanent basis. The apprehensions expressed in regard to the increase of the powers of the Board were much exaggerated; for, if in one part of the Bill they assumed a power which they did not now possess, in another they gave up powers which they now enjoyed. The clauses objected to both by the hon. Member for Peterborough (Mr. Whalley) and his noble Friend (Viscount Galway) obtained the deliberate recommendation of the Committee upstairs.

Mr. J. B. SMITH doubted whether the deputations to the Poor Law Board were empowered to discuss the principle of the permanency of the Board.

Mr. WHALLEY said, he was glad to know that the Government undertook the responsibility of adopting the clauses to which he had referred.

Committee report Progress; to sit again on *Thursday* next.

LOCAL GOVERNMENT SUPPLEMENTAL (No. 2.) BILL—[Bill 167.]

(*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth.*)

Lords' Amendments *considered.*

On Question, "That this House do agree with the Lords to these Amendments,"

Mr. WALDEGRAVE-LESLIE begged leave to call the attention of the House to the fact, that the Amendments bore no reference whatsoever, either directly or indirectly, to the subject-matter of the Bill, or to any of the places named in the Bill as it left this House; and that the said Amendments attempt to set aside the provisions of a previous Act of Parliament which is not even referred to in the Bill. He must say that, in all his Parliamentary experience, these Amendments were some of the most extraordinary kind that he had ever known or heard of. The Local Government (No. 2.) Bill was drawn up in the Home Office, for the purpose of confirming by Act of Parliament the provisional orders relating to Sheffield, Derby, and five other towns named in the Bill. The town of Hastings, which he had the honour to represent, was not one of the towns, and was not in any way named or referred to in the Bill. Well, the Bill, as introduced by the Home Secretary, passed through each stage in the Commons without amendment. It then went in usual course to the Upper House, there it was read a first and a second time. It was not referred to a Select Committee; but in Committee of the Whole House, certain Amendments, totally irrelevant to the subject-matter of the Bill, were introduced. Those Amendments referred only to the town of Hastings. But the town of Hastings was not named in them—neither was any notice given to the Mayor of Hastings, nor to the Local Board of Health of that town, nor to himself as Member for that borough. When the Amendments had come back to this House for approval, the Home Secretary personally knew nothing about them, nor their nature; and it was due only to the accidental discovery that he (Mr. Waldegrave-Leslie) had made in looking at them that any attention was called to them. If this species of legislation was to be carried on, and this case be formed into a precedent, there would be an end of all trust and all faith in Parliamentary practice. He called on the House to enter its protest against such legislation. He was sure that the Upper House could scarcely have been aware of the nature of the Amendments. He begged, therefore, to move that this House do disagree to the said Amendments; and that a Select Committee be appointed "to draw up reasons to be assigned to the Lords for disagreeing to the Amendments to which this House hath disagreed."

Mr. HUNT, on behalf of Her Majesty's Government, said, the Bill sought to deal with a place which was not named in it at all; and as all the parties interested had not been served with proper notice, it would be most irregular to accede to these Amendments.

Motion *agreed to.*

Committee *appointed,* "to draw up reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed:"—Mr. Waldegrave-Leslie, Mr. Dodson, Mr. Secretary Gathorne Hardy, Mr. Childers, Mr. Charles Forster, Mr. Edward Egerton, Mr. John Abel Smith, Lord Hotham, and Mr. Bonham Carter.

House adjourned at a quarter after Eight o'clock.

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HOUSE OF LORDS,

Friday, July 12, 1867.

MINUTES.]—Select Committee—On Railways (Guards' and Passengers' Communication), Ld. Steward, E. Lucan, and L. Ponsonby *added;* on Vaccination *nominated.*

Public Bills—*First Reading*—Local Government Supplemental (No. 5) * (221); Industrial Schools * (223).

Second Reading—Christ Church (Oxford) Ordinances (190); Trusts (Scotland)* (195); Court of Appeal Chancery (Despatch of Business) (215), Committee *negatived.*

Report—Consecration of Churches and Churchyards (15 & 222); Public Records (Ireland)* (210).

Third Reading—Local Government Supplemental (No. 4) * (207), and *passed.*

LONDON, BRIGHTON, AND SOUTH COAST RAILWAY.—OBSERVATIONS.

Lord REDESDALE said, that the London, Brighton, and South Coast Railway

Bill would be reported that day, and as some of the provisions were peculiar and important, he wished to take that opportunity of calling their Lordships' attention to what had been done, in order that they might see whether there was any objection to the course proposed. The Bill had come up from the House of Commons as an unopposed Bill, and therefore came under his notice as Chairman of their Lordships' Committees. The company being very much in want of funds proposed to raise money by the issue of preference stock; but being unable to raise the amount required by such means, they now sought to issue ordinary stock at a discount. He (Lord Redesdale) confessed that was an objectionable course, but he thought it far less objectionable than the creation of pre-preference stock, and he therefore felt disposed, under the circumstances, to allow the company to issue stock at a discount. The Bill had come before him as an unopposed Bill, and the parties were anxious to make progress withit; but, as no inquiry had taken place into its provisions, he thought that he ought to call the attention of their Lordships to the subject.

Lord ROMILLY said, the proposal was perfectly new, and the noble Lord had only been able to recommend it on the ground that though it was a bad thing it was not so bad as another course which might have been adopted had the company been able to put it into execution. He hoped the House would have ample notice of the next stage of the Bill, in order that it might be fully discussed.

The Duke of MONTROSE said, that the course proposed would be ruinous to the company if allowed, for it entirely destroyed the chances of the original shareholders of any return for their investment. The noble Lord allowed this Bill to go forward, although he said that he saw the objections to it; but he had refused to allow Bills creating pre-preference stock to go forward until they had been sent before a Select Committee and reported upon. This Bill should at least be put in the same position with those measures.

Earl GREY said, he thought the system of allowing stock to be issued at a discount better than the system of pre-preference stock, which was not only unjust in itself, but was calculated to injure other railways, besides the particular undertaking thus treated. When a railway company was in difficulties it was the interest of all parties that money to carry it on should be raised in some way; and he did not see how this could be done so fairly to all parties as by issuing fresh stock at the fair market rate. Such a course did not infringe the rights of any person but seemed to be the natural resource of railways in want of money. In his opinion, therefore, the noble Lord (Lord Redesdale) was wise in approving this plan as a lesser evil to the issue of pre-preference stock. At the same time, he thought it would be well that the Bill should stand over until the subject could be considered by their Lordships.

Lord REDESDALE said, that where the preference shareholders consented to the creation of pre-preference stock, there could be no objection to that plan of raising money. *Volenti non fit injuria.* But to allow a company to take that course where such consent was withheld would destroy public confidence in railway investments, and inflict, even on solvent undertakings, a permanent injury.

Earl GRANVILLE said, the subject was one of great importance, and it would be desirable to know on what day the Bill would be before the House. It would be also desirable that their Lordships should then know the opinion of the Government upon so important a question.

Lord REDESDALE said, the next stage of the Bill would be the third reading, and it would then be competent for any one of their Lordships to move that the Bill be re-committed. He did not see, however, that any advantage was to be gained by re-committing the Bill, for the question was one of principle. At the same time if their Lordships thought it desirable that inquiry should take place before a Committee he should be happy to concur. He had done what he thought right in calling their Lordships' attention to the matter, and he left it in their hands.

MEETINGS IN ROYAL PARKS BILL.

(*The Lord Redesdale*)

(No. 113.) SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DERBY said, that he entirely agreed with the object of the Bill; but he begged to point out that a Bill dealing with this subject, and prepared by the Government, was now before the other House of Parliament. The Home Secretary had given notice of certain Amendments; but the House of Commons had been occupied lately by more important duties. He would suggest that the noble Lord should postpone the second reading for a week, in order to give time to proceed with their measure in the other House.

EARL GRANVILLE thought that the Question was a most important and most difficult one, and ought to be dealt with, after due consideration, by Her Majesty's Government. It was not fit that such a measure should be introduced on the responsibility of an individual Peer, however much he might be respected in that House.

LORD REDESDALE said, his object in introducing this Bill was to find out what was intended by the Government in this matter. The Bill before the other House had been so often postponed that he almost doubted at last whether it would go forward at all. He thought that the public were entitled to some protection in this matter, and to some legislation in the course of the present Session. But, under all the circumstances he did not object to postpone the second reading of the Bill.

Second Reading *put off* to *Friday* next.

CHRIST CHURCH (OXFORD) ORDINANCES BILL—(No. 190.)

(*The Archbishop of Canterbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE ARCHBISHOP OF CANTERBURY, in moving that the Bill be now read the second time said, that its object was to take the College out of the anomalous position in which it was left by the Commission of 1854. Christ Church was not only a college, but a cathedral. The Commission was not empowered to deal with the cathedral body in the first instance, and the fact that it had not done so led to considerable difficulty and to disagreements between the Students and the Dean and Chapter. The students of Christ Church stood in the same relation to the Dean and Chapter to that in which the scholars of other Colleges stood towards the Fellows. The Dean and Chapter previously were the governing body; they had the sole management of the estates, and the Students were in a subordinate position. The statutes of the several Colleges having been altered, close fellowships were done away with, and the competition between the different colleges placed the Students of Christ Church at a disadvantage. Being no part of the governing body, and not having sufficient funds to promote educational purposes, difficulties arose which it was the object of the Bill to remove. One disadvantage from which they suffered was that sermons could not be preached in the chapel for the benefit of the undergraduates. These matters were submitted to five referees—Sir John Coleridge, Sir W. Page Wood, Sir Roundell Palmer, Mr. Twisleton, and himself, and the result was the preparation of the Ordinances attached to this Bill.

Moved, "That the Bill be now read 2ª."—(*The Archbishop of Canterbury.*)

EARL STANHOPE said, he was glad the most rev. Primate had brought forward this Bill. He approved in particular of the 28th clause, the effect of which, as he understood it, was to abolish academical distinctions of dress and designation between the three classes of students; distinctions moreover which involved three different scales of charges to students sitting at the same table.

THE EARL OF DERBY said, he feared the noble Earl was mistaken about the effect of the 28th clause, which seemed to him to be in effect permissive, inasmuch as it was exempted from taking effect along with the other ordinances. He entirely approved the general scope and tenor of the Bill.

EARL STANHOPE thought he was substantially right, as he had lately been assured, on competent authority at Oxford, that the Bill would give power to the Governing Body to abolish these distinctions.

THE EARL OF CARNARVON said, that the clause removing academic distinctions was qualified to the extent that there was a transference of the power of fixing the terms of admission for Noblemen and Gentlemen Commoners; and he should not have said that the question of distinction was raised in the way the noble Earl (Earl Stanhope) supposed. He objected to the transference of the power to the Governing Body, inasmuch as it placed the Dean of Christ Church in a position occupied by the Head of no other College; it disqualified him from exercising a power he always had exercised; and so far the clause would be productive of inconvenience. It did not follow that the Governing Body would exercise their powers in the way contemplated by the

28th clause, by removing distinctions of dress and designation; but it was competent for them to do so whether the Dean approved or not. The clause, he believed, was no part of the original ordinances, but it had been introduced since they were drawn up.

THE ARCHBISHOP OF CANTERBURY said, a few words in explanation.

Motion *agreed to:* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

CONSECRATION OF CHURCHES AND CHURCHYARDS BILL—(No. 15.)

(*The Archbishop of Canterbury.*)

(*Formerly* CONSECRATION OF CHURCHYARDS (No. 2) BILL.—(*The Bishop of Oxford.*)

Amendments *reported* (according to Order).

THE EARL OF PORTSMOUTH moved the insertion of the following clause :—

"And whereas, by an Act passed in the 4th and 5th years of the reign of Her present Majesty, entitled, 'An Act to afford further facilities for the Conveyance and Endowment of Sites for Schools,' and by another Act passed in the 13th and 14th years of the reign of Her present Majesty, entitled, 'An Act to extend and explain the provisions of the Acts for the granting of Sites for Schools,' powers are given to persons being seised in fee-simple, fee-tail, or for life of and in any manor or lands of freehold, copyhold, or customary tenure, and having the beneficial interest therein, may grant, convey, or enfranchise by way of gift, sale, or exchange in fee-simple or for a term of years, any quantity not exceeding one acre of such land as a site for a school subject to the provisions in the said Acts, and it is expedient that the same powers should be extended to persons willing to grant land for the enlargement of churchyards or burial places in England or Wales; be it therefore enacted that the said Acts shall be deemed to apply to all persons desirous of granting land for the purpose of such enlargement, in the same way as if the said land had been granted as a site for a school, provided, nevertheless, that no such grant shall be made otherwise than in fee-simple."

Motion *agreed to.*

Clause *added* to the Bill.

Further Amendment made; Bill to be read 3^{a} on *Monday,* the 22nd *instant;* and to be *printed* as amended (No. 222).

INLAND FISHERIES OF IRELAND—ADDRESS FOR RETURNS.

THE MARQUESS OF CLANRICARDE, in moving an Address for certain Returns connected with the Inland Fisheries of Ireland, complained that the Salmon Fisheries (Ireland) Act Amendment Bill, introduced by his noble and learned Friend (Lord Cranworth), was rejected on the 5th instant on the Motion for the third reading, at the instance of a noble Lord (Lord Abinger) who had not given notice of his intention to oppose it.

Moved, That an humble Address be presented to Her Majesty for,

Return of all Expenses of the Special Commissioners for the Inland Fisheries of Ireland and attending the Administration of the Act of the 26th & 27th Vict. Cap. 114. and any Renewals thereof since the passing thereof; specifying the Salaries, Fees, or Gratuities paid to each of the several Special Commissioners, naming each Person, to the Secretary and the several Clerks appointed or employed under that Act, naming each Person, and also to all other Persons in any way employed, with the several Amounts of all travelling Expenses or Allowances paid to each or any of the said several Parties from the Commencement of that Act: Also,

Return of all other incidental Expenses defrayed by Public Money, including legal Expenses attending Appeals or other Administration of that Act and the several Renewals thereof: And also,

Similar Returns in relation to the Special Commissioners for England and the Administration of the "Salmon Fishery Acts 1861 and 1865," the 24th and 25th Vict. Cap. 109., and 28th and 29th Vict. Cap. 121.—(*The Marquess of Clanricarde.*)

THE EARL OF BELMORE said, there was no objection to granting the Returns moved for. The Irish Commission would expire shortly by lapse of time, but that it had nearly completed the business which it was appointed to do; the English Commission, however, had far from finished its work.

THE EARL OF MALMESBURY, with reference to the complaint of the noble Marquess (the Marquess of Clanricarde), said, that it was very inconvenient and almost always unfair to oppose a Bill in its last stage without notice. The Bill of the noble and learned Lord (Lord Cranworth) referred to no common matter; it did not deal with the question as to whether we should have more or less salmon in England, but with a question of justice to certain persons. The measure was therefore of importance, and several noble and learned Lords took great interest in it. The noble Lord who moved the rejection of the Bill (Lord Abinger) had certainly surprised their Lordships, though, he believed, unintentionally, as the noble and learned Lord who had charge of the Bill had told several Peers that it would not be opposed. This case exhibited in a marked manner the inconvenience arising from making important Motions in their Lordships' House without notice.

Earl DE GREY said, he had not expected such a reflection as that which had fallen from the noble Earl to come from the Ministerial Bench, as only last evening the Secretary for the Colonies (the Duke of Buckingham) had moved the rejection of the Adjutants of Volunteers Bill, without having given notice of his intention to do so, on its third reading. Believing that the Salmon Fisheries Bill referred to would have reversed the policy which had been pursued for years, with regard to an important branch of industry in Ireland, he thought that he and those who had acted with him were justified in the course which they had taken.

The Earl of MALMESBURY understood that notice was given by his noble Friend (the Duke of Buckingham) of his intention to move the rejection of the Bill.

Earl DE GREY said, he had heard to a contrary effect, and he asked the noble Marquess whether he had given notice to his noble Friend (Lord Abinger) of his intention to bring forward this matter to-night, in order that he might have been present to defend himself. For his part he thought his noble Friend justified in the part he took.

Lord CRANWORTH said, his noble Friend had had recourse to the very worst of all arguments in opposition to the noble Earl, the *tu quoque*. It certainly seemed as if a canvass had been made with the express purpose of securing the rejection of the Bill.

Lord DENMAN interrupted the noble and learned Lord by saying that the noble Lord who moved the rejection of the Bill on its third reading, assured him that he had made no canvass (out of doors) at all.

Lord CRANWORTH said, that when the Bill was read a second time, fifty-one Peers voted in its favour, and twenty-two against it, while at the time appointed for the third reading, out of a House of only forty Members, twenty-three voted against the Bill.

The Earl of ROMNEY explained how completely the noble Lord (Lord Abinger), who had been absent in Scotland, had acted without conferring with those who came down to oppose the Bill of the noble and learned Lord.

The Earl of KIMBERLEY said, that, as far as he himself was concerned, he had felt perfectly at liberty to vote against the Bill, and the majority, he believed, was not due to any canvass.

Lord CAMPBELL rose to defend his noble and gallant Relative (Lord Abinger), and denied that his course was identical with that which the Government had taken yesterday.

The Duke of BUCKINGHAM said, that at the earliest possible moment after he found it necessary to object to the Adjutants of Volunteers Bill he sent a note by a messenger to the house of the noble Lord who had charge of that measure (Lord Campbell).

Lord CAMPBELL said, he had received the note sent by the noble Duke, but it only stated that some objections might be taken, and opposition was therefore possible. On coming to the House he was informed by the noble Earl the Under Secretary for War that the noble Duke objected to the Bill individually, but no opposition was intended on the part of Her Majesty's Government. But for that assurance he should not have thought of proceeding that night with the third reading.

The Earl of DERBY could assure the noble Lord that the subject of exempting Adjutants of Volunteers from service on juries was never at any time brought under the consideration of Her Majesty's Government, or made a Cabinet question in any way. So far, indeed, from there being any previous consultation as to the course to be pursued, very little conversation at all on the subject passed between the Members of Her Majesty's Government, and that little was confined to the period when the noble Lord rose at a late hour and in a very thin House to move the third reading of a Bill which had not been discussed at any of its previous stages. As noble Lords were aware, the Members of Her Majesty's Government were frequently under the painful necessity of remaining in the House after most other noble Lords had left, and noble Lords who brought forward Motions at such a time, if they had reason to anticipate opposition from the Government, did so at considerable disadvantage. The fact that at the time of the division there were only twenty-four Peers present was sufficient to show that no great effort had been made to secure its rejection, and among those who honoured the majority with his vote was a noble Lord opposite who was not generally regarded as an active supporter of Her Majesty's Government. If the noble Lord who had introduced the Bill believed it to be one of so much importance, it would at least have been wise on his part to have secured the attendance of some of his Friends, and to, at all events, have taken care not to be left in a minority of 6.

LORD CAMPBELL, so far from having reason to anticipate opposition from the Government, had reason to count on their support.

THE EARL OF LONGFORD said, he told the noble Lord that he had heard no intention of opposing the Bill, although he had heard the noble Duke, some few nights previously, express himself unfavourably on the subject. He certainly never pretended to possess any authority for stating the course which the Government intended to pursue; but, as a matter of fact, the Bill did not meet with any Government opposition at all. He did acknowledge that he had no opposition to offer to it on behalf of the War Department—and he had, indeed, intended to vote in its favour; but he was induced to alter his decision on hearing the arguments which the noble Lord offered in its support.

After a few words from the Marquess of CLANRICARDE,

Motion *agreed to.*

BOOK OF COMMON PRAYER.

ADDRESS FOR PAPERS.

THE BISHOP OF OXFORD, in moving an Address to Her Majesty praying that Her Majesty will give directions to the Queen's Printers, and to the Delegates of the University Press at Oxford, and the Syndics of the University Press at Cambridge, to make a Return to their Lordships of a List of the Alterations from the text of the "Sealed Books" existing in the Book of Common Prayer as now issued, and other particulars, said, that he had put this Motion on the Paper because it was of the greatest moment that there should be the utmost accuracy in the printing of the Book of Common Prayer, and that those who were specially intrusted with the duty should make no alteration of their own in giving the book to the public. The object of the monopoly which had been given was for the purpose of insuring accuracy. At this moment, however, the Prayer Book issued by the three different authorities differed in many points, and therefore the original object was defeated. He thought it very desirable that full information should be obtained in the matter. It had, however, been suggested by the noble Earl at the head of Her Majesty's Government that the object which he had in view could be better attained through the Commission now sitting, and he would not, therefore, ask their Lordships to agree to an Address, reserving to himself the right of opening the matter hereafter if it should seem advisable.

Moved, That an humble Address be presented to Her Majesty, praying Her Majesty to give Directions that Her Majesty's Printers and the Delegates of the University Press at Oxford and the Syndics of the University Press at Cambridge should return to this House:

1. A List of the Alterations from the Text of the sealed Books existing in the Books of Common Prayer as now issued:
2. The Dates of such Alterations:
3. The Authority under which they were severally made.—(*The Bishop of Oxford.*)

THE BISHOP OF LONDON said, that there were some fears on the part of the Delegates of the Press at Oxford that an impression might get abroad that the duty intrusted to them by the Legislature had not been performed with that accuracy with which it ought to be done. He had been therefore instructed by one of the most distinguished of the Delegates, to state that Commissions had been appointed in 1746-7 and again in 1796-7 to inquire into the subject, and to bring back the Prayer Book to the closest conformity to the "Sealed Books"; and from that day to the present time no alterations had been introduced, except the substitution of a comma for a semicolon in one place, and such changes as were made necessary by the Acts of the Legislature.

THE BISHOP OF OXFORD said, he had not intended to bring a charge against any one, much less against the Delegates of the Oxford Press. But, if, as appeared by the admission of the right rev. Prelates, those gentlemen could so alter the Book of Common Prayer as to make it agree with what they thought was the intention of Parliament, there was a manifest necessity for adopting some such course as he had suggested.

Motion (by Leave of the House) *withdrawn.*

COURT OF APPEAL CHANCERY (DESPATCH OF BUSINESS) BILL.

(*The Lord Chancellor.*)

(No. 215.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that its object was to facilitate the despatch of business in the Court of Chancery. On the introduction of the measure, he stated that the two Lords Justices of Appeal were compelled to act together, and neither could perform any judicial act separately. In the present state of arrears it was absolutely necessary to get rid of a quantity of business which was overwhelming. It was, therefore, proposed by the Bill that certain duties might be taken separately; but the Lords Justices were not to sit separately on appeal. He had been authorized to say that Lord Cranworth entirely approved of the Bill; the noble Lord the Master of the Rolls sanctioned it; and the Lord Justice Cairns was also in favour of it. As despatch was important, he should propose to read the Bill a second time now, to suspend the Standing Orders, and have the Bill read a third time on Monday.

Lord ROMILLY said, he fully approved of the Bill. He wished, however, to take that opportunity of making a few observations on the general subject of appeal. The present system of appeal in the Court of Chancery was open to grave objection. The principle upon which appeal should be established was well understood—there ought to be but one appeal. But in the Court of Chancery the parties might introduce fresh evidence, and bring forward fresh material. Now, such a course was open to very considerable objection; because, in the first place, it induced persons not to bring forward the whole of their case in the beginning; and, in the next place, it led to a prolongation of litigation. With regard to appeals to their Lordships' House, he would speak with some hesitation. He had already delivered his opinions on that subject before a Committee of their Lordships; and, on that occasion, he had stated that he thought there ought to be an infusion of the lay element into that Court, so as to correct the unavoidable bias of the legal mind. It was only by an infusion of the lay element that that accurate judgment upon ordinary affairs which was usually called "common sense," and which was requisite to a fit decision, could be obtained. In fact, the recommendation which he made was the theory of the Constitution. Their Lordships' House used formerly to decide on questions of appeal, and had the Judges, as their assessors, to assist them with their legal knowledge. Jeremy Bentham, who devoted a great intellect and a long life to the study of jurisprudence, was of opinion that it was not improper that the Judges should be laymen. Certainly he (Lord Romilly) would not go to that length; but, looking at some of the most eminent Judges who had existed in Europe—L'Hôpital and D'Aguesseau among the rest—it was a fact that none of them were advocates. In some instances they bought their places. That, no doubt, would not now be the most convenient mode of qualifying for judicial offices. There was, however, abundant evidence to show that this House contained within itself men qualified to perform judicial functions. A much esteemed Friend of his, and an ornament of this House, Lord Macaulay, in a memorable speech made by him in the other House of Parliament, pointed out the judicial functions now performed by lay persons as chairmen of Quarter Sessions, and in other capacities. If you wanted to make the law good, you must prevent it from running into technicalities. It was of the greatest importance that this tendency should be checked by the ultimate Court of Appeal; and if some of their Lordships who had received a certain amount of legal training in the discharge of judicial duties were selected to sit in appeal cases, he thought that an appellate tribunal would be formed infinitely superior to any that had hitherto existed. He did not mean to say that such duties should be performed gratuitously; but these were details into which he would not now enter. There was a good deal more that he wished to say upon this subject, but he would not say it now. At some future period — possibly next Session—he might call attention in greater detail to the importance of some reform in the constitution of the existing tribunal for hearing appeals in this House. At present he would merely express his entire concurrence in the necessity for passing the Bill now before their Lordships.

Lord CAIRNS said, that the whole subject of the appellate jurisdiction of this country was so important and at the same time so difficult and so large that it would be inconvenient to enter upon any discussion of it while considering a measure of the kind now proposed. He did not, therefore, rise for the purpose of following the observations—entitled, as they were, to the greatest weight and respect—which had fallen from his noble and learned Friend opposite (Lord Romilly). With regard to the Bill, he hoped that there would be no delay in passing it. The state of the appellate business of the Court of Chancery was very serious — it had fallen very greatly into arrear, and the few weeks which remained before the long vacation could at the best but make a small impression upon it. The only possible mode of expediting, to some extent, that business was by enabling the Judges of the Court of Appeal to exercise their functions separately. He was enabled to say that the present Bill had the full sanction and approbation of the very eminent Judge (Lord Justice Turner) whose loss at this moment the public and all his friends so deeply mourned, and in whom we had lost as wise and upright a Judge, as efficient and conscientious a public servant, as ever sat upon the Bench.

Motion *agreed to ;* Bill read 2ª accordingly; Committee *negatived :* and Bill to be read 3ª on *Monday* next.

INDUSTRIAL SCHOOLS BILL [H.L.]

A Bill to make further Provision respecting Industrial Schools in Great Britain—Was *presented* by The Marquess Townshend ; read 1ª. (No. 223.)

House adjourned at Seven
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 12, 1867.

MINUTES.]—Supply—*considered in Committee* —Civil Service Estimates.

Public Bills—*Second Reading*—Local Government Supplemental (No. 6)* [206]; Carriers Act Amendment* [243].

Committee — Turnpike Trusts Arrangements* [233]; Industrial and Provident Societies* [198] ; Master and Servant * (*re-comm.*) [204].

Report—Metropolis Subways*[139 & 249]; Turnpike Trusts Arrangements* [233]; Industrial and Provident Societies* [198]; Master and Servant* (*re-comm.*) [204].

Considered as amended—Representation of the People [237].

Third Reading—Barrack Lane, Windsor (Right of Way)* [229]; Naval Stores* [215]; Chatham and Sheerness Stipendiary Magistrate* [211]; Trades Union Commission Act (1867) Extension* [227], and *passed.*

The House met at Two of the Clock.

SOUTH EASTERN OF PORTUGAL RAILWAY.—QUESTION.

Mr. SANDFORD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any representation has been made by Her Majesty's Government to the Government of Portugal respecting the conduct of that Government in offering for sale by public auction, and preparing to confiscate the South Eastern of Portugal Railway, in the construction of which British capitalists have invested upwards of £1,200,000 ; and, if such communication has been made, what answer has been returned thereto ?

Lord STANLEY : Representations have been made by Her Majesty's Government to the Government of Portugal upon the subject to which the hon. Gentleman refers. Communications are now passing between the two Governments, but I have not received any final or decisive reply.

CATTLE PLAGUE.—QUESTION.

Viscount ENFIELD (in the absence of Mr. T. Hankey) said, he would beg to ask the Vice President of the Committee of Council on Education, What Regulations are enforced to compel the Removal of Manure from places in London pronounced infected from Cattle Plague, without which removal the surrounding districts are immediately exposed to the most dangerous risk of fever and other diseases ; and, whether it is true that the parochial authorities have at present no right to interfere in the removal of such a nuisance as the accumulation of manure under the circumstances above stated ?

Lord ROBERT MONTAGU : The Order of March 24, 1866, forbids the removal of manure from any infected place in England, including the metropolis. In the country manure may often be disposed of in an infected place ; but in the metropolis the area of an infected place is small, and it is impossible to use the manure within it. On the other hand, it is very detrimental to health if it accumulates. The Bill now before the House, therefore, relaxes this Order, in permitting the removal of manure when disinfected, and also in exempting the metropolis from that portion of the Act. The Privy Council have had under their consideration a Report of Dr. Whitmore, dated July 4, to the Local Board of Marylebone on this subject, and have directed that an Order should be immediately prepared to facilitate the removal of manure under certain conditions.

METROPOLIS—HYDE PARK.

QUESTION.

Mr. EWART said, he would beg to ask the First Commissioner of Public Works, Whether his attention has been called to the practice of abstracting large masses of Gravel from Hyde Park; and replacing them by mud and rubbish from the streets of London or elsewhere; thereby obstructing the natural drainage of the Park, and creating artificial swamps instead; and, also, to ask when the new seats, which the First Commissioner has been so good as to promise for the public in the Park and Kensington Gardens, will be forthcoming?

Lord JOHN MANNERS said, that the gravel was only permitted to be removed from Hyde Park, in order to mend the roads in the Park, and in Kensington Gardens. He did not admit that the operations referred to in any degree created artificial swamps, or obstructed the natural drainage of the Park. The new seats would shortly be provided for the use of the public.

THE ROYAL COMMISSION ON TRADES UNIONS—MR. CONOLLY.—QUESTION.

Mr. SAMUELSON said, he would beg to ask the Secretary of State for the Home Department, Whether it is true that a Mr. Conolly, who watched the proceedings before the Trades Union Commission on behalf of certain trades, has been forbidden by the Commissioners to continue his attendance; whether he committed any offence against the Commission; and, if so, what was the offence; and whether it is true that permission was offered to Conolly to continue his attendance on condition of his signing a document which had no reference to the business of the Commission?

Mr. GATHORNE HARDY said, the Commission had the absolute power of regulating the proceedings of their own tribunal, and of admitting or excluding what persons they pleased. They laid down that rule at the beginning of their sittings. He understood that the Commission had decided to exclude the person named in the Question from their sittings, on account of his having made a statement which they regarded as injurious to the character of the Commission.

Mr. SAMUELSON: Was that statement made at one of the sittings of the Commission?

Mr. ROEBUCK: Perhaps the House will allow me to answer this question.

The O'DONOGHUE: I rise to Order, and I ask, Whether the hon. and learned Gentleman has a right to enter into personal explanations as to these proceedings?

Mr. ROEBUCK: I was going, Sir, to throw myself on the indulgence of the House; and I believe from long experience of this House, it will not refuse to a Member, whose conduct has been called in question, permission to make a personal explanation, provided it be confined within those bounds of discretion which I hope I shall not overstep. I wish first of all to say that I feel very deeply the disgrace which has been brought upon my countrymen by the late exposures at Sheffield, and that my constituents also feel deeply hurt at what has occurred. This being so, I read a statement to this effect—A meeting of trades union delegates was held in the metropolis to declare their abhorrence of, and indignation at, the outrages which had taken place at Sheffield. During the discussion at that meeting a Mr. Conolly declared in indignant terms his utter abhorrence of what had taken place at Sheffield; but he went on to say—"But what can you expect from a town that returns Mr. Roebuck to Parliament?" [*Laughter from the Opposition.*] That, Sir, may be a thing to be laughed at; but I have lived a long life of honour, and have also lived too long to regard such manifestations. I felt that by an imputation of this sort this was said of my constituents: that if within their precincts murder, perjury, and robbery should take place, it was a thing naturally to be expected, seeing that they had given their confidence to a person who was so worthy to represent murder, perjury, and robbery as Mr. Roebuck. ["Oh!" *and* "Hear, hear!"] That, Sir, is the real meaning of this assertion. Well, what happened was this, I stated to the Commission what had occurred, and I said to them I was the judge of my own honour and of what was due to my self-respect; that they might declare and decide that this was no imputation upon me, and that Mr. Conolly was a person so important that he should be there; but that if they did I begged to take up my hat and withdraw from the Commission; for I never could sit in a room again with a man of that sort. It was partly with my sanction that he was there. Resenting this imputation and not wishing to slur over anything connected with these horrors, and desiring that there should be no extenuation of them, I determined not to sit in the same room with the man who accused me of being a fit representative of those who commit such deeds. I left the Commission to decide between two things—whether they would exclude Mr. Conolly, or whether I should withdraw. They excluded Mr. Conolly and I remained there.

MERTON COLLEGE.—QUESTION.

Mr. LOWE said, he would beg to ask the noble Lord the Vice President of the Committee of Council, Whether he has any objection to lay on the table the Correspondence which has taken place between Merton College and the Privy Council on the subject of an ordinance which it was proposed to change?

Lord ROBERT MONTAGU said, he presumed that the right hon. Gentleman put this Question on the part of Merton College. They were parties to this Correspondence, and, as a matter of courtesy to them, he would not like to promise to produce the Correspondence without knowing the feelings of the Fellows of Merton College upon the subject. The right hon. Gentleman might see the Correspondence at the office if he wished, and could decide whether it was worth printing.

Mr. LOWE said, the noble Lord had not answered his Question.

Lord ROBERT MONTAGU said, he had no objection to the production of the Correspondence if the College had none.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 237.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

CONSIDERATION.

Bill, as amended, *considered.*

Mr. BERKELEY said, he had a clause to move which was originally intended as an Amendment to a clause which was brought in by the Government for enabling electors to vote by means of voting papers but which was rejected in Committee. The proposal he now had to make was taken from a Bill introduced by Lord Fermoy and himself in 1862, was now in force, as an Act, in the Australian Colonies, and was tantamount to the ballot pure and simple. If the Chancellor of the Exchequer should approve the proposal, as he almost hoped he might, the right hon. Gentleman would then place himself in the front rank of Reformers. The right hon. Gentleman had taken a great many steps in that direction. If he would take this step, though the last, it would not be the least important. By open voting men were liable to be cudgelled, bribed, and ruined. It used to be contended that the voter should take the responsibility of the vote which he gave upon his own shoulders; but the meaning of that was that he should submit to these inflictions because he happened to discharge his duty faithfully to his country. Although he had voted against the Government proposal for voting papers, he rejoiced that it had been made, because it showed the change that had come over the Conservative mind. Lord Derby, who in 1865 had described the ballot as "the skulking hole of political cowards," informed, in 1867, a deputation who had waited on him that he approved of voting papers, because their secrecy gave confidence to the timid voter and tended to protect the elector from the violence of the mob. Now, nothing could be so diametrically opposed to one another as those two declarations, and he congratulated the supporters of the ballot upon so complete a surrender of the principle on which the ballot had been mainly opposed. He had, he might add, lately read with great attention the speeches of no less distinguished a man than the right hon. Robert Lowe, published by himself. To those speeches there was a preface, and he would venture to say that no more dishonest statement, as regards the ballot, had ever been published. ["Order!"] He would alter the phraseology, and call it a most disingenuous statement, for it was full of what lawyers termed avoidance, and *suppressio veri.* It commenced by setting forth that when a man was willing to sell his vote and another to buy it, no machinery which Parliament could invent could prevent the carrying out of a secret bargain between them. The ballot alone could do that, and the right hon. Gentleman knew that the ballot had done it. The right hon. Gentleman then proceeded to contend that the ballot did not secure secret voting in America, and that in large constituencies bribery prevailed as well as in small. Now, it struck him as somewhat odd that the right hon. Gentleman who owed his rise in the world to the colony of Australia, should find it necessary to go so far westward as America in order to make out a case against the ballot. He must be aware that in Australia it had been perfectly successful in every respect. Why, then, go to America, where it was true the adoption of the ballot did not compel secrecy of voting, but where, nevertheless, under its operation that object could be attained by all who desired its protection? Those who chose might vote secretly. He had, indeed, seen voters in America carrying their voting papers in their hats; but then it should be borne in mind that intimidation was unknown, that no law of primogeniture nor overgrown properties prevailed, nor any of those other circumstances which contributed to the malversation of the franchise in this country. As to bribery, he denied that it existed in America with respect to voting at elections, and he might refer in support of that view to the correspondence of *The Times*, in which it was stated that although large sums of money were sometimes collected, they were not spent in buying votes, but on the proceedings preliminary to the elections. He therefore defied the right hon. Gentleman to get up in that House and prove that the ballot tended to produce such a low tone of morality as he had described. The great constituencies of the country, such as London, Middlesex, Birmingham, Manchester, and Bristol, were in favour of its adoption. If one went back to the time of Charles I. it would be found that in the case of Saville and Wentworth, in a great contested election in Yorkshire, the Parliament allowed votes to be taken anonymously. In the reign of Queen Anne the question of the ballot was brought forward by Wharton and carried in the Commons. That decision might have been influenced by the writings of Defoe, who stated that, though many Acts had lately passed to prevent bribery and corruption, yet treating and other corrupt practices were as openly prevalent as before, and that the only way to stop them was to take the votes by way of ballot. He would now come down to 1832. At that time there were a number of distinguished men who believed that the machinery of the Reform Bill of that day was not perfect, because the measure didnot provide protection for the voter. Among them was Lord Durham, who advocated triennial Parliaments, household suffrage, and vote by ballot. Another was George Grote, a third Lord Macaulay, and a fourth was Benjamin Disraeli the younger. In 1833 the right hon. Gentleman, in an address to the electors of Marylebone, declared that he desired to complete the machinery of the Reform Act by two measures—one for the establishment of triennial Parliaments, and the other providing that in elections the votes should be taken by ballot, so as to invest the people with what was once their birthright, and to bring the Government into harmony with the feeling of the people. The right hon. Gentleman now supported household suffrage pure and simple. He (Mr. Berkeley) trusted that the right hon. Gentleman would yield that last point, the ballot, which was emphatically declared by Jeremy Bentham to be the pole star of Reform, without which all measures of Reform must be useless. He would be the last to say that poverty and corruption were synonymous terms, but all knew that the tempter could work on poor persons more than on those in comfortable circumstances, and he asked the House whether it supposed that there would be more purity in the electoral body, when so much extended, than in the present electoral body? They knew that when the late Chancellor of the Exchequer proposed to go to the country the Tory organs of the press urged that public morality forbade such a speedy recurrence of the proceedings of the last election, and spoke of the demoralizing effects of unlimited beer and uncounted bank notes. By the extension of the suffrage which was about to take place, they would increase intimidation and bribery, and he should not be surprised if hon. Gentlemen opposite were to ask for the ballot as a resting place for Reform. He viewed the right hon. Gentleman the Chancellor of the Exchequer as a great missionary. He had thrown himself into the wilds of Toryism, had converted the natives and brought them within the pale of civilization. Let him make one more step forward, and he would live the greatest man of the age. He moved the following clause:—

"At the time of polling at any contested election, each elector having first, according to law, satisfied the returning officer or his deputy that he is entitled to vote, shall receive from such returning officer, or his deputy, a paper on which shall be printed the names of the candidates, and the elector shall take such paper to a separate compartment of the place where the poll may be taken and there strike out the name or names of the candidate or candidates for whom he does not vote, and shall immediately afterwards place into glass urn or box the paper folded so as not a show the manner in which he has voted, and immediately after the close of the poll and not before the returning officer shall proceed to examine the said papers and ascertain what candidate or candidates shall have been chosen at such election, and every returning officer shall provide such glass urns or boxes as aforesaid, and shall cause all places at which votes shall be taken to be arranged in such manner as to him shall seem best for carrying out the mode of voting hereby established, and his expenses of so doing shall be included in the expenses legally recoverable by him from the candidates."

Clause (Voting to be by printed papers placed in a glass urn or box) — *Mr. Berkeley*)—brought up and read the first time.

Question proposed, "That the Clause be now read a second time."

Mr. OSBORNE said, that often and ably as this subject had been brought before the House by the hon. Member for Bristol, and often as he had listened to his hon. Friend's arguments, and swelled the minority as far as he could by his single vote, he had never taken part in any discussion upon the ballot. He had listened to the usual stock arguments in its favour and against it. He had heard the similitudes drawn from the case of the clubs, and the answer that it would Americanize our institutions, and that it was un-English. But though he had been up to the present moment a supporter of the ballot, he had been but a lukewarm supporter, because he had always looked upon it more as a matter of detail than as a principle. He had thought it perfectly open to change his views on the question. Nor did he think the hon. Gentleman could fairly twit the Chancellor of the Exchequer for having issued an address in favour of the ballot in 1833, and having altered his views now. That was ancient history. He might point to an hon. Member near him who was formerly in favour of the ballot—the hon. Member for Westminster (Mr. Stuart Mill) —but who had now changed his views upon the subject. Therefore neither the one side nor the other had any right to twit their opponents or friends. But whatever desirability there might have been for the ballot under the old system, the arguments formerly used in its favour came with redoubled force now. They were creating an entirely new state of things, and no one could predicate what would happen, or what sort of a House would be returned to those benches. He would be a bold man who would venture to prophesy anything as to the effect of this Reform Bill. But there seemed one thing which all parties were agreed upon, that one effect would certainly be to raise what were called the legitimate expenses of elections. The only way in which they could endeavour to restrain those expenses was to make use of this method of taking votes. It would have the advantage not merely of putting some check upon bribery; but with the enormous numbers upon whom they were about to confer the franchise, there must be some other means more than those which at present existed to give facility of voting. Therefore merely as an expedient to create greater facilities of voting he thought the ballot was inevitable in this country. But there were graver considerations connected with this question. He was prepared to argue, in view of the great tendency which there was in elections in this country to increased expenses, whether Parliamentary, municipal, or for Coroners, that the only way they could put a restraint upon bribery was by taking the votes by ballot. He was not speaking at all in a party view, because he was prepared to prove that this would in the end be a Conservative measure. There was some very curious evidence as to what a venal constituency thought of bribery. There was once a place called Sudbury, which returned two Members to that House. It was before his time, but he had read the very curious history which was to be found in the Report of a Select Committee on the Handloom Weavers. It appeared that every man in Sudbury with the exception of twenty sold his vote. Some got £60, but the market price was £35 a piece. On the occasion of the great election of 1835 an aspiring candidate went down to Sudbury full of the ballot, triennial Parliaments, and all those cries which were then so fashionable, and made a great speech for the ballot. Dr. Mitchell, who was one of the Commissioners who reported upon the state of Sudbury and the means of preventing bribery, was asked "Are the Sudbury voters favourable to the vote by ballot?" and his answer was, "Not at all;" and he mentioned that this supporter of the ballot in 1835 met with a very bad reception, and was obliged to leave the town. These people were not more corrupt than some who were to be found in the present day. He knew a constituency where £35 would go a very little way with a voter. But this case was an indirect proof that those who took bribes knew very well that the ballot would have an effect in checking that great evil, which had increased, was increasing, and ought to be diminished. The only way in which they could check or diminish it was by putting the ballot in operation at every election. There was also something to be said upon the ground of intimidation. He was not going to urge the old stock argument of the poor man being oppressed by the rich, or poor shopkeepers being exclusively dealt with by the rich, according as they voted. That argument had had its day; but there was a very important argument to be derived from the disclosures lately made in regard to trades unions, as to the position the poor voter was in from the tyranny that might be exercised upon him by his own class. They had heard something of the ballot in America; but if any one wanted instruction upon the ballot, he could not do better than turn to the Select Committee on Bribery at Elections, which reported in 1855, and which examined all the great election agents of the day, including Mr. Parkes and Mr. Coppock. Amongst the witnesses examined before the Committee was M. de Tocqueville, who was asked, from his experience in America, what was the effect of the ballot there? The reply was—

> "The effect is to protect the poor voter from the tyranny of his own class. Secret voting in America is a protection against the tyranny of the majority, which is the greatest evil that attends a purely democratic form of Government."

There could be no doubt that a great stride had now been made here, not possibly towards a democratic form of government, but in erecting a democracy so far as that House was concerned. They were bound, if they did not wish to bestow a *damnosa hereditas* in the shape of household suffrage upon the poor man, to give him some protection for his vote; for it was not only the rich who were powerful to command votes, but the poorer classes associated together had a strong power in their hands to exercise upon those who went against their opinions. He was so impressed with the necessity of giving protection to the poor voter, that he urged upon the Government to consider the evidence given in 1860 by Mr. Sidney Smith, who was Secretary to the Liberal Registration Association for the City of London —a man not of extreme opinions, but of great experience, who foresaw the state of things that had resulted from these trades unions. That gentleman, before the Lords' Committee, expressed the opinion that if the suffrage was liberally extended to the working classes, they must be protected by secret voting, for the ballot was the only protection against trades unions and other societies, both for them and for shopkeepers, who required protection against exclusive dealing. If the House was going to confer the franchise so largely upon these people, let it not be a mockery. Give them the protection of secret voting, whereby they would be able to record their honest opinion without being subjected to the pressure of people in their own station of life. There were once 200 Gentlemen who voted for the ballot; he should like to see some of these Gentlemen come forward to support it now that it was a matter of much greater importance. He did not argue this from what was called the Liberal point of view, but from the Conservative point of view. He called upon hon. Gentlemen opposite, who had canted and re-canted so many opinions, to give this protection to the poorer classes of their fellow-subjects. They might depend upon it that the thing was inevitable. There would not be two Parliaments elected under the present Bill before they came to the ballot. He urged the Conservative party to place the top stone on the edifice they had raised to the honour of democracy by making the concession with a good grace now.

MR. MARSH said, he would not have spoken on this subject but for the reference which his hon. Friend the Member for Bristol had made to Australia. As he had been there more recently than, he believed, any other Member, he might be allowed to say a few words as to what the state of things there really was. The fact was, there was no ballot at all in Australia, in the sense in which the term was used by the hon. Members for Bristol and Nottingham. The ballot, according to them, meant secret voting. There was no such thing as secret voting. They went to the poll with colours in their hands. There could be no secret voting where there were Englishmen. He might give one illustration to show that in Australia there was no secret voting; and he thought it did credit to Australia. It was the system there to have a great number of polling-places. There were two polling-places on his brother's property. His brother asked eighty to vote for his personal friends, and they did so. At the other polling-place there were sixty voters, and with the exception of six he knew exactly how they would vote. Everybody knew how men voted, notwithstanding every effort used by the Government to have secret voting.

Question put, "That the Clause be now read a second time."

The House *divided*:—Ayes 112; Noes 161: Majority 49.

MR. CLAY moved to insert after Clause 30 the following clause:—

(Definition of "Expenses of Registration.")

"The word 'expenses' contained in the Sections fifty-four and fifty-five of the said Registration Act of the Session of the sixth year of the reign of Her present Majesty, chapter eighteen, shall be deemed to and shall include and apply to all proper and reasonable fees and charges of any clerk of the peace of any County, or of any town clerk of any City or Borough, to be hereafter made or charged by him, in any year for his trouble, care, and attention in the performance of the services and duties imposed upon him by the same Act, or by this Act, in addition to any money actually paid or disbursed by him for or in respect of any such services or duties as aforesaid."

He was only asking for a return to the old practice, which had been not entirely abandoned, but only in some of the counties and boroughs.

THE CHANCELLOR OF THE EXCHEQUER said, he had no objection to the clause. It was already partly provided for by the interpretation of the term "returning officer."

MR. AYRTON said, he thought it would be necessary to alter the language of the clause, so as to provide for places having no town council.

Clause *added* to the Bill.

MR. GATHORNE HARDY, in the absence of Mr. Russell Gurney, moved after Clause 43, to insert the following clause:—

(Copy of Reports of Commissioners to be evidence.)

"Any Copy of any of the said Reports by the said Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in any of the said Boroughs of Totnes, Great Yarmouth, Lancaster, or Reigate, with the Schedules thereof annexed, and purporting to be printed by the Queen's printer, shall for the purposes of this Act be deemed to be sufficient evidence of any such Report of the said Commissioners and of the Schedules annexed thereto."

Clause *agreed to* and *added* to the Bill.

LORD EUSTACE CECIL moved to insert the following clause:—

(Convictions for felony and certain other offences to disqualify persons from voting.)

"That any person who has, when of full age, been convicted of any offence for which he has been sentenced to penal servitude, and who has not received a full pardon for the same, shall be incapable of voting at any Election for Members of Parliament."

He said that he had endeavoured to meet the objections which had been urged against the proposal when he made it on a former occasion. He had struck out the word "larceny" in accordance with the suggestion of his right hon. Friend (Mr. Henley); and he had met the case of a person who had been pardoned, which had been brought before the House by the hon. and learned Member for Exeter (Mr. Coleridge). He hoped therefore that the House would now agree to the clause.

Clause brought up and read the first time.

Moved, "That the Clause be now read the second time."

MR. GLADSTONE said, that no doubt the noble Lord had fulfilled his pledge in amending the clause. Still he (Mr. Gladstone) confessed that the more he looked at the clause the less he liked it. It would add something to the sentence in certain classes of crime; and he thought that such an addition should not be made in connection with the Reform Bill. The object of punishment was to deter from crime, but a man would not be deterred by a disqualification such as this. Moreover, it was a punishment which would last for life, and no punishment of that kind should ever be inflicted, except for a strong reason. If a man left prison with a sincere desire to fulfil his duties as a citizen he ought not to bear for life the brand of electoral disqualification.

VISCOUNT CRANBORNE said, that he should support the clause as consistent with the principle on which certain boroughs had been disfranchised. The franchise was not conferred upon a constituency or an individual as a private right, but as something to be exercised for the good of the country, and where a man or a borough had exhibited an incapacity of so exercising it Parliament ought with an unsparing hand to take away the privilege.

MR. OSBORNE said, he cordially supported the clause. He thought it highly creditable to the noble Lord, and could not understand why his right hon. Friend (Mr. Gladstone) should object to it. A vote ought to be an object of ambition, and a sort of post of honour. It ought, to a certain degree, to be a mark of moral excellence. He should like to see every man who was brought to a police office for flagellating his wife or committing any other atrocity deprived of the franchise. He had none of this mock sympathy with the criminal class, and looked upon it as a "Joseph Surface" hypocrisy. Would anybody undertake to say that Mr. Broadhead, Mr. Crookes, and other respectable gentlemen of that sort were entitled to a vote? If four entire constituencies had been extinguished for bribery, the same punishment should be inflicted on such persons. He hoped the noble Lord would not be deterred from pressing the clause by the scruples of over-enthusiastic Gentlemen.

MR. NEWDEGATE said, he could not vote for the clause, which would in effect amount to a sentence of outlawry, imposed in addition to the sentence which the criminal had already undergone for his crime. When a criminal had expiated his offence by undergoing his punishment he ought to be clear for the future. It was now, however, proposed that the sentence pronounced by the Judge should be exceeded, and the effect would be to convert, in some sense, every sentence into a punishment for life.

MR. SERJEANT GASELEE said, he wished to reform a criminal, if possible, and therefore he objected to his being disqualified for ever from this right of voting. The clause was, in his mind, most objectionable, because it attached a disqualification, not so much for any actual crime committed by him, but for a particular sentence passed by a particular Judge upon him. A man, for example, who had been sentenced some years ago for an offence committed, might now, on the approaching termination of his ten years' penal servitude, be looking forward to the enjoyment of that enfranchisement which might be considered the birthright of every British citizen.

SIR GEORGE GREY said, there were two questions involved in the clause—first, whether it was desirable and expedient to attach this permanent disqualification to persons convicted of crime, and, in the next place, whether this clause carried out that object? He did not see why they should attach this peculiar disqualification to persons after they had served out their period of punishment. They did not disqualify such persons under similar circumstances from the exercise of any other civil right when they had purged their offence. With regard to the electors for Lancaster and the other three disfranchised boroughs, they were only disqualified in the borough and county in which they lived, and there was nothing to prevent them from exercising the franchise and acquiring votes anywhere else. He was opposed to the clause.

MR. LEVESON-GOWER said, he did not like to impose a stigma for life upon a man, however criminal he might have been, who might afterwards occupy a respectable position. The clause was objectionable so far as it would tend to discourage persons from regaining their former position in society.

MR. GATHORNE HARDY said, he felt great difficulty in acceding to the clause, inasmuch as persons who had fulfilled their terms of punishment might serve as jurors, overseers, and in other offices. [An hon. MEMBER: And become Members of Parliament?] Yes, they might become Members of Parliament. This clause would also in effect repeal the existing law, because under the 9th *Geo.* IV., when persons had served out their sentences they were to be treated as if they had received a free pardon. In many cases a free pardon was granted, not because a man had not committed the offence; but because there were strong circumstances of mitigation, as in cases of manslaughter, perhaps, where a man who had committed an offence in the heat of passion might be afterwards restored to society and even occupy a high position. It had been said that a "ticket-of-leave man could vote," but this was a mistake, as he was still under sentence and could not vote. In former times convicts who had served their terms of servitude abroad not unfrequently rose to high offices in the colonies, without detriment to the public service.

MR. BARROW said, he opposed the clause, because he objected to retrospective legislation. Criminals ought to know, when they committed a crime, what punishment they would have to suffer.

Question put, and *negatived*.

MR. DILLWYN said, that he had given notice of a clause providing that each elector shall vote for only one Member. Not wishing to throw any impediment in the passing of this important measure through its last and final stage, he would withdraw his clause.

MR. KEKEWICH said, he had given notice of a clause that non-resident electors in counties might vote by voting papers. As an hon. Member had given notice of his intention early next Session to bring the subject before the House, he would not press the clause.

Mr. JASPER MORE moved the following clause:—

(No under sheriff, acting under sheriff, &c., to act as agent in the election of any Member for a City or Borough.)

"No under sheriff, acting under sheriff, his partner, deputy, or clerk, shall act as agent in the election of any knight of the shire; and no partner, deputy, or clerk of a returning officer shall act as agent in the election of any Member for a City or Borough; and if he shall so act, he shall be guilty of a misdemeanor."

Clause *brought up*, and read the first time.

Moved, "That the Clause be now read a second time."

The CHANCELLOR of the EXCHEQUER said, that the clause would lead to great inconvenience. If the principle were good, which he could not admit, the wording of the clause would have to be altered, because under it no under sheriff would be allowed to act as agent in any other county. As the clause would cause great inconvenience and personal injustice he could not assent to it.

Mr. JASPER MORE said, he was willing to alter the clause so as to limit the disqualification to the county in which the under sheriff exercised the functions of his office.

Question put.

The House *divided*:—Ayes 127; Noes 168: Majority 41.

Mr. PEASE moved the following clause:—

"That the Municipal Borough of Hartlepool, the Township of Hart, the Township of Throston, and the Parish of Stranton (including the Town of West Hartlepool), shall constitute the Borough of The Hartlepools."

Clause *brought up*, and read the first time.

Moved, "That the Clause be now read a second time."

The CHANCELLOR of the EXCHEQUER said, the more important point raised by the Amendment was clearly a matter which should be left to the Boundary Commissioners. With regard to the desire that the borough should be called "the Hartlepools," and not the borough of Hartlepool, he had since received communications from the locality on the subject, and he should very cheerfully assent to that part of the Amendment.

Mr. MILBANK said, he wished to say a word on the subject, as the whole property in Hartlepool, which consisted of two parishes, belonged to himself. He thought it was a hardship that Old Hartlepool, which was in the township of Hart, should not have a vote.

The CHANCELLOR of the EXCHEQUER said, he was sorry to hear that there was a chance of Hartlepool being a nomination borough.

Question put, and *negatived*.

Colonel WILSON PATTEN moved the following clause:—

"That the writs for Elections within the County Palatine of Lancaster shall be issued direct to the Sheriff."

Mr. BOUVERIE said, that the right hon. and gallant Gentleman, who, until his accession to office, had been Chairman of the Standing Orders Committee, proposed himself now to violate those Orders, in moving a clause of which notice had not been given. The Bill made no provision for returning officers in boroughs which were not municipal boroughs.

Colonel WILSON PATTEN said, that the clause was not his own, and the Notice had been given, though not in the terms in which he moved it.

Mr. GLADSTONE said, that, if the clause were passed in its then shape, the effect would be that hereafter it would be sufficient on Report to give notice of, and move a clause without stating its substance beforehand.

Colonel WILSON PATTEN said, he would move the clause in the terms of the Notice, and then add, as an Amendment, the words now proposed.

Clause, as amended, *added* to the Bill.

Mr. TREEBY moved the following clause, to come immediately after that with respect to persons in arrear of rates:—

"The overseers of every parish, wholly or partly within a borough, shall, on or before the 22nd day of July in every year, make out a list containing the name and place of abode of every person who shall not have paid, on or before the 20th day of the same month, all poor rates which shall have become payable from him in respect of any premises within the said parish, before the 5th day of January then last past, and the overseers shall keep the said list, to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except Sunday during the first fourteen days after the said 22nd day of July; any overseer wilfully neglecting or refusing to make out such list, or to allow the same to be perused as aforesaid, shall be deemed guilty of a breach of duty in the execution of the Registration Acts."

THE CHANCELLOR OF THE EXCHEQUER said, the clause seemed to him unobjectionable, and likely to be advantageous.

Clause *agreed to,* and *added* to the Bill.

MR. LOWTHER moved that all the words after "nor" in the 2nd clause, line 10, be left out, and the following words inserted:—

"In anywise affect the election of Members to serve in Parliament for the Universities of Oxford or Cambridge."

Clause *agreed to,* and *added* to the Bill.

MR. POWELL said, he moved, in page 1, Clause 3, line 14, to leave out "man," and insert "male person." He thought the Amendment necessary, owing to a provision in an Act passed in the 13th and 14th of the present reign, to the effect that the word "masculine" should be taken to include females. His object was that ambiguity might be avoided in the construction of the present Bill.

Question put, and *agreed to.*

SIR FRANCIS GOLDSMID said, he moved to insert in page 1, Clause 3, line 14, the words "in and after the year 1868." The object of the Amendment was to prevent all possibility of confusion arising from this Bill in the ensuing registry in the possible contingency of the Bill receiving the Royal Assent before the end of the present month. Unless it were done, some of the franchises might be registered before the time intended by the Bill. That being so, he thought it was highly desirable that the words he proposed should be inserted, in order to make the matter clear. It would be necessary to introduce the same words in other clauses of the Bill, in order to make it uniform.

THE CHANCELLOR OF THE EXCHEQUER said, he assented to the Amendment.

Amendment *agreed to.*

MR. W. E. FORSTER said, that, by Clause 3, it was provided, in order to qualify him, that every voter shall have paid his rates before the 20th of July. He proposed to follow the precedent of the Reform Act, and he moved an Amendment requiring payment "on or before" that day.

Amendment *agreed to.*

MR. LOCKE moved the omission of the words at the end of paragraph 4, in Clause 3,

"And which have been demanded of him in manner hereinafter mentioned."

Amendment *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER moved in page 2, line 17, the insertion of the following paragraph:—

"Provided, That no man shall, under this section, be entitled to be registered as a voter by reason of his being a joint occupier of any dwelling-house," and leave out the same words at lines 26, 27, and 28.

Amendment *agreed to.*

SIR FRANCIS GOLDSMID said, it would be necessary in that part of the clause referring to lodgers to insert, after "has," the words "in and after the year 1868," occupied in the same borough, &c.

THE CHANCELLOR OF THE EXCHEQUER moved in Clause 3, line 18, to leave out "or," and insert—

("Lodger Franchise in Boroughs).—Every man shall be entitled to be registered as a voter, and, when registered, to vote for a Member or Members to serve in Parliament for a Borough, who is qualified as follows (that is to say)—(1.) Is of full age and not subject to any legal incapacity; and (2.) [The above, with the remainder of Clause 3 to "voters," in line 26, to form a separate Clause.]"

MR. BOUVERIE said, that, before the Amendments were agreed to, he wished to make a few remarks on this part of the Bill. A Gentleman of great experience in that House, now deceased, once said to him that the result of his observation of the mode of transacting business in that House was that the worst part of the measures passed by Parliament were those which were agreed to by what was understood to be general consent—his explanation being that, from their not being discussed, truth was not elicited. The remark applied, to a considerable extent, to the proposal of a lodger franchise. The franchise did not originally form part of the Bill; but it was assented to and introduced by the Chancellor of the Exchequer in consequence of the criticism of the Bill by the right hon. Gentleman the Member for South Lancashire, one of his points being the omission of the lodger franchise. The clause, he believed, was passed without a word being said for or against it. He was old-fashioned enough to be sceptical of the merits and advantages of the lodger franchise. It was true that there was a very numerous and respectable class of lodgers who were in every way qualified by education, intelligence, respectability, and independence to have votes. But they must regard them in a more practical manner rather than in that abstract point of view. He regarded with dismay the difficulty which would attend an accurate register of lodgers. Hitherto there had been certain public documents to guide the revising barristers as to the owners and occupiers of property; and, if a man was not on the rate book, there was an accurate and ready means of ascertaining whether he was what he claimed to be. There would be great difficulty in ascertaining the value of the lodgings, and in identifying the person claiming the vote. It would be next to impossible to ascertain whether claimants as lodgers had really a good claim or not —and how, he asked, was the value, as unfurnished lodgings, of furnished lodgings to be arrived at? His impression was that in practice every one who claimed to be put on the register as lodgers would be able to get on it; and a large number would be so put on who it would be almost impossible to identify at the time of a contested election. He believed it would open the door to enormous personation and fraud. A lodger was a person without "a local habitation or a name." It might be that a man, at the time of a contested election, would come forward and personate John Jones, who was on the register. There would be no means of identifying him at the time, and it would only be some quarter of an hour afterwards, when the real John Jones came forward, that the imposition would be discovered. Unless some checks were adopted, the result would be the introduction, at contested elections, of an amount of personation never yet known, and an amount of evil never yet calculated. This franchise went a great deal farther back than was ever contemplated under the old Constitution. Lodgers were persons who had no permanent home; the mere fact of their being lodgers showed that. He was afraid that, when this franchise came to be worked, it would open the door to personation and improper returns, such as, at present, we knew nothing of.

Mr. NEWDEGATE said, he agreed with the observations of the right hon. Gentleman that household suffrage, supplemented by the lodger franchise, was a suffrage which had never existed since the reign of Henry VI. He held in his hand a petition to the House of Commons, showing the confusion that arose in those days under the household and lodger franchise, as now proposed. It was then found absolutely necessary to adopt the restriction of not allowing any but 40*s.* freeholders to vote, the 40*s.* freehold being equal to £17 at the present day. The Chancellor of the Exchequer stated the other night that the lodger franchise would add 350,000 persons to the constituencies. But it seemed to him that the lodger franchise was an unknown quantity. In the reign of Henry VI. the electors in counties were so few that it was found impossible to obtain anything like a fair return. It had been said that the scot and lot voters and pot-wallopers were householders, but had any hon. Member satisfied himself as to the number of scot and lot voters and pot-wallopers? He had not been able to get an exact return of the numbers; but he would quote a remarkable document showing how totally different it was from the franchise they were now creating. That document was an abstract from the petition of the "Friends of the People" which was presented by Mr. Grey in 1793. They wished to show how wonderfully restricted the franchise was made under the circumstances of the old boroughs. The document was as follows:—

> "They affirm that, in addition to the 70 honourable Members so chosen, 90 more of your hononrable Members are elected by 46 places, in none of which the number of voters exceeds 50. They affirm that, in addition to the 160 so elected, 37 more of your honourable Members are elected by 19 places, in none of which the number of voters exceeds 100. They affirm that, in addition to the 167 honourable Members so chosen, 52 more are returned to serve in Parliament by 26 places, in none of which the number of voters exceeds 200. They affirm that, in addition to the 249 so elected, 20 more are returned to serve in Parliament for counties in Scotland by less than 100 electors each, and 10 for counties in Scotland by less than 250 each; and this your petitioners are ready to prove, even admitting the validity of fictitious votes. They affirm that, in addition to the 279 so elected, 13 districts of burghs in Scotland not containing 100 voters each, and two districts of burghs not containing 125 each, return 15 more hon. Members; and in this manner, according to the present state of the representation, 294 of your hon. Members are chosen, and being a majority of the entire House of Commons, are enabled to decide in all questions in the name of the whole people of England and Scotland."

Thus it appeared that about 16,000 electors returned a majority of the House. The right hon. Gentleman stated that the addition of these lodgers to the householders would create confusion at elections;

and he was anxious to elicit from the Government what would be the additional number of voters of that class. This had a bearing on the question which had been raised by the right hon. Member for Kilmarnock. The addition of the lodger voters to the household voters would create a constituency such as has never before been known in England.

MR. M'LAREN said, the right hon. Member for Kilmarnock seemed not to be aware that he was himself returned to the House by a lodger franchise. That franchise existed in Kilmarnock and all the other burghs in Scotland; and if the right hon. Member called a meeting of his constituency he would find that a majority of the electors were lodgers. Who were the lodgers? Young men in public offices, bankers' clerks, writers' clerks, schoolmasters, schoolmasters' assistants, young men who were prudent and did not marry rapidly, who took lodgings and waited till they got a fixed position before taking wives. He had never heard that lodgers were more difficult to find than other persons; on the contrary, those who paid £10 a year for unfurnished rooms were better known than householders who paid a rent of from 30*s.* to 60*s.* a year. They were a very respectable class.

Amendment *agreed to.*

MR. P. A. TAYLOR moved in Clause 3, line 20, after "same lodgings," to insert "or different lodgings in succession." He said his object was to do away with the defect which for a time deprived of the franchise, lodgers who changed their residence. The Amendment involved a question whether the lodger franchise was to be a reality or a sham? His attention was called to the subject by a gentleman who paid £150 a year rent, and who asked whether the House of Commons would act so absurdly as to disfranchise him simply because he was going to remove to a place three doors off?

Amendment proposed, in page 2, line 20, after the words "same lodgings," to insert the words "or different lodgings in succession."—(*Mr. Taylor.*)

THE CHANCELLOR OF THE EXCHEQUER said, that any objections there might be to the lodger franchise would be greatly increased were the Amendment proposed by the hon. Gentleman to be agreed to, seeing that it would throw open the door to manifold abuses.

MR. GLADSTONE said, that while he admitted that the lodger franchise ought to be placed on the same footing as the occupation franchise, and succession allowed in each case, such a decision would upset what had already been agreed to. After the strong objection taken to the lodger franchise by the hon. Gentleman opposite (Mr. Newdegate), and by his right hon. Friend (Mr. Bouverie), he would have been better pleased if the right hon. Gentleman (the Chancellor of the Exchequer) had indicated in more distinct terms his adhesion to that franchise. They were not the only persons who had to deal with this Bill, and he was not disposed to see the question raised again. Still less was he disposed to see any question in an adverse sense raised by the lodger franchise. If they were to have a lodger franchise at all it was impossible to have taken a narrower basis. He indeed thought it was somewhat too narrow, He hoped they would not conclude from the concise manner in which the right hon. Gentleman had replied that he had lost any of that paternal affection for a lodger franchise which he had expressed on a former occasion.

Question put, and *negatived.*

MR. GOLDNEY said, he hoped that after the settlement of this question in Committee there would be no further attempt at alteration.

MR. NEATE said, he moved an Amendment, the object of which was to place the freeholder in the same position as the copyholder in regard to occupation.

THE CHANCELLOR OF THE EXCHEQUER said, that there was no objection to the principle of the Amendment.

Amendment *agreed to.*

Clause 5 (the Occupier to be rated in Boroughs and not the Owner).

MR. AYRTON said, he rose to propose an addition, providing that where premises are let for less than a year, or the rent of which is payable at any shorter period than three months, the owner as well as the occupier shall be liable to the rates, without prejudice to any contract between them as to their payment.

THE CHANCELLOR OF THE EXCHEQUER said, he must appeal to the Speaker whether a proposal affecting the incidence of rating could be brought forward on the Report?

MR. SPEAKER said, the proposal imposing a charge not at present existing, should have been submitted in Committee.

MR. AYRTON said, he hoped he should be in order in raising the question, it not being his intention to revive the subject of composition. He accepted the decision of the Committee on that point; but if the matter was left in its present shape the effect would be that a landlord letting a house from week to week, and obtaining the entire profits of the property, including the rates, would not be responsible if the tenant quitted the premises, and the rates would thus be lost to the parish. In small places persons' movements were known and it was easy to trace them, but in the metropolis and large towns the case was different, and a considerable amount of rates might be lost. In some places there was an agreement that landlords should pay the rates for such property, but in the metropolis a legal obligation on them was necessary. He hoped, therefore, the Government would agree to the proposition.

Amendment *negatived.*

Clause *agreed to.*

Clauses 6, 7, 8, and 9, *agreed to.*

Clause 10 (Persons reported guilty of Bribery in Lancaster disqualified as Voters for County of Lancaster in respect of Qualification arising in said Borough).

THE MARQUESS OF HARTINGTON said, that when the case of the four boroughs was before the House it was generally believed that the certificate given by the Commissioners to persons who had given evidence before them would protect them from disfranchisement. Such, however, was not the case, and the clause disfranchising these boroughs was passed under a mistaken impression. He believed that many Members would have been disposed to stop short of total disfranchisement, and would have limited the penalty to a temporary suspension of the writ and the disqualification of persons who had been actually guilty of bribery, if they had not been informed at the time that the certificate of the Commissioners would have protected them against disfranchisement. It was also argued, and equally erroneously, that although these persons might lose their votes for the boroughs, they would retain them for the counties. He did not propose to make any Motion to reinstate the boroughs in question, because the public were well aware that they were disfranchised, not from any great zeal for purity, but because it presented an easy way of obtaining seven seats for re-distribution. He desired to enter his protest

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against their disfranchisement, and to express a hope that in any future Distribution Bill—which would not long be delayed—the claims of these boroughs to re-enfranchisement would be taken into consideration.

Clause *agreed to.*

Clause 21 (Electors for Members of the University of London).

MR. GOLDSMID said, he moved an Amendment, to the effect that the Members of the Senate as well as of the Convocation of the London University should have a vote. The Members of the Senate were not necessarily members of the Convocation.

Amendment proposed, in page 8, line 5, at the commencement of Clause 21, to insert the words "every Member of the Senate and"—(*Mr. Goldsmid.*)

THE CHANCELLOR OF THE EXCHEQUER said, there was no reason why the members of Senate should have votes. The members of Senate were, he believed, appointed by the Government. [SIR GEORGE GREY: Some of them.] He could not recommend the House to accede to this Amendment.

Question put, and *negatived.*

MR. POWELL moved to insert the word "man" instead of "person."

MR. CARDWELL said, he thought there was some force in the objection of the hon. Member in these days of advanced female education.

Amendment *agreed to.*

Clause 23 (Joint Occupation in Counties).

SIR ROBERT COLLIER (on the part of Mr. HUGESSEN) moved a proviso, that the joint occupiers on the register for any premises should not exceed two voters, derived by marriage, descent, or as *bonâ fide* partners in trade.

Amendment *agreed to.*

Clause *agreed to.*

Clause 27 (Provision for Increased Polling-Places).

MR. DODSON moved an Amendment to leave out all the words which made it imperative on country Justices to proceed at the first court held after the passing of the Act to appoint polling-places in counties. These arrangements might, and probably would, be upset by the proceedings of the Boundary Commissioners, and then the counties would be put to the increased trouble and expense of a second arrangement of polling-places.

MR. HIBBERT said, he would suggest that the difficulty would be met by altering the words, to "their first meeting in the next Session of Parliament." The Boundary Commissioners would make their Report in the course of next Session.

THE CHANCELLOR OF THE EXCHEQUER said, he must remind the House that the Bill was so framed as to be complete in itself, and that was the reason why temporary boundaries were fixed. It might happen that a general election would take place before the Boundary Commissioners made their Report. The difficulty would be got over by inserting the word "may," instead of "shall," leaving it to the justices to exercise their discretion in the matter.

Another Amendment proposed, in page 10, to leave out from the beginning of Clause 27 to the word "Districts," inclusive, in line 24.—(*Mr. Dodson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Motion altered to, "shall if they shall find convenience requires."

Clause amended, and *agreed to.*

Clause 29 (Payment of Expenses of conveying Voters to the Poll illegal).

COLONEL HERBERT said, he moved, after the word "Cricklade," to insert "Much Wenlock"—an extensive borough which had been enfranchised since the time of Edward IV., and whose population had increased from 7,000, to 21,000. He thought that from its great extent it should be placed in respect of the payment of voters' travelling expenses on the same footing as counties.

THE CHANCELLOR OF THE EXCHEQUER said, he should not oppose the Motion. The borough of Much Wenlock was fifty-seven square miles in extent, and was one of the most ancient boroughs in the kingdom.

MR. BOUVERIE said, that other boroughs possessed as good a claim to be placed in the same position as counties as Much Wenlock—the borough, for instance, of Walton, which was fifty square miles in extent. He thought they ought not to make one rule for one set of boroughs and another rule for another set.

MR. HIBBERT said, he should oppose the Motion.

GENERAL FORESTER said, that Much Wenlock possessed a much larger area than the other boroughs described as being in the same category.

Another Amendment proposed, in page 11, line 22, after the word "Cricklade," to insert the words "Much Wenlock."—(*Colonel Herbert.*)

Question put, "That those words be there inserted."

The House *divided:*—Ayes 143; Noes 103: Majority 40.

Clause further amended, and *agreed to.*

Clause 42 (Corrupt Payment of Rates to be punishable as Bribery).

MR. REBOW moved the insertion, after the words "inducing him to vote," of the words, "or refrain from voting."

Amendment *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, that at Nine o'clock he should propose the suspension of the Standing Orders, in order to continue the discussion on the Report. He hoped that this would not trench on the opportunities of hon. Members having Motions on going into Committee of Supply, and trusted he might have the pleasure of hearing the hon. Member for Galway (Mr. Gregory) on the subject he was about to bring under the notice of the House.

Further Proceeding on Consideration of the said Bill *adjourned* till *this day*, at Nine of the clock.

Ordered, That the Order of the Day for the Committee of Supply, and the other Orders of the Day, be postponed until after the Order of the Day for the further proceeding on Consideration of the Representation of the People Bill, as amended.

Clause 46 (General Saving Clause).

MR. LOWTHER said, he rose to move an Amendment of which he had given notice. When the subject was brought before the Committee, on the former discussion, it was raised somewhat unexpectedly, and arguments were used which, on reflection and consideration, he thought would be seen to be devoid of foundation. The words he proposed to omit from the clause were these—

> "And nothing in this Act contained shall entitle any person to vote on the election of Members to serve in Parliament for the City of Oxford or town of Cambridge in respect of the occupation of any chambers or premises in any of the colleges or halls of the Universities of Oxford or Cambridge."

When the question was submitted to the

Committee the words of the right hon. Gentleman the Member for the city of Oxford (Mr. Cardwell) were adopted, after an animated discussion, which took the greater portion of the House by surprise. In the course of it, the right hon. Gentleman's Colleague (Mr. Neate) stated in the belief, no doubt, that he was within the bounds of truth, that it would be found on inquiry that the opinions of members of both Universities were decidedly adverse to the proposal he (Mr. Lowther) made. [Mr. NEATE said, that he did not go quite so far.] At least what the hon. Member said was taken in that general sense by the Committee. The Chancellor of the Exchequer, when pressed for an opinion, said he had been led to understand that the opinion of the Members for the Universities was against the proposal he (Mr. Lowther) made in Committee. By that time one of the hon. Members for the University of Cambridge (Mr. Selwyn) had spoken strongly in favour of the proposal, and, therefore, it was evident that the right hon. Gentleman had been misinformed. He should be able to show that the hon. Member for the city of Oxford (Mr. Neate) was somewhat premature in the statement he ventured to make. The University of Cambridge, through the only body that had the power to speak in its name, had expressed a most decided opinion against the proposal of the right hon. Gentleman the Member for the City of Oxford. He would show first that the members of the Universities were justified in making the claim he now submitted to the House. It was true, that as members of the Universities, they had their own able representatives. But that fact was wholly foreign to the subject of the claim made. Those members of the Universities who lived in other parts of England had votes for the places where they resided. When they made a claim before the revising barrister their votes were not objected to upon the ground that they possessed a vote for one of the Universities. It was said, however, that those Members of the Universities who resided in the colleges and halls had an especial interest in returning to Parliament the Members who represented the Universities. But was that really the fact? These were days, not only of railways, but, so far as the Universities were concerned, also of voting papers, by means of which the residents who only formed one twentieth portion of the University constituencies found their previously preponderating influence at an end, and he ventured to assert that as a Cambridge graduate, he possessed precisely the same electoral rights as the Master or the Principal of one of the first colleges in that University. The difference was that, whereas he was also an elector for the metropolis, in which he resided, a member of the University who, in following his profession, resided in one of the colleges, was denied his local representation in addition to his academical representation. A University vote was based upon a strictly academical qualification. In illustration of this statement, he might remark that when he was resident at Cambridge as an undergraduate, and paid rent for his rooms, he had no vote for Members of Parliament for the University, although after he had graduated M.A., and had ceased to reside in the University, he had such a vote. This clearly showed that the academic and the borough vote were totally distinct. In the former discussion an argument had been adduced to the effect that it would be unwise on the part of the Members of the University, and inimical to their interests, to enter upon this question, lest, in the course of so doing, they should interfere with and put into confusion the much vexed question of the rates to be levied upon the colleges. Nothing could be further from his desire than to embarrass the University and town property by any interference with the relative proportion of rates to be paid by each, but he believed that this matter had been satisfactorily arranged both at Oxford and Cambridge. He was told, however, that by the Act of 1832, as in the clause proposed by the right hon. Gentleman the Member for Oxford (Mr. Cardwell), it was enacted that the occupiers of rooms in the colleges and halls should not be entitled to vote in the elections of Members of Parliament for the city of Oxford or borough of Cambridge. It should, however, be remembered that at the time the colleges were extra-parochial and free from all liabilities to pay rates, and that since then they had been included in the parish boundaries, and had become liable to the payment of rates. At Oxford he believed the Vice Chancellor distributed the rate among the bursars of the various colleges in some manner which suited the arrangements both of the town and the University, while at Cambridge the question of rating was set at rest in 1856 by the Cambridge Award Act, founded on the award of Sir John Patteson. The 35th section of that Act had been quoted as cutting away the ground from under his feet. It provided that no Member of the University or of any college should by reason of any rate on the property occupied by the University or by such college be entitled to be registered as an elector of the borough, or to be enrolled as a burgess thereof, or be compellable to serve in any municipal office, or to serve or be empannelled on any jury, or to do any other service imposed upon ratepayers. He wished to point out that in 1856 there was no idea that a lodger franchise would be introduced or seriously contemplated, neither was personal payment of rates the law of the land. Then, again, before the year 1856, the University of Cambridge paid no rates whatever, and therefore it was only fair that they should be exempted from serving in municipal offices. At the present time they paid, as they thought, more than they ought towards the support of the municipality, and therefore the exemption was no very great concession. Since the former discussion he had had an opportunity of making himself acquainted with the views of a considerable number of the members of the University of Oxford which he found to be favourable to his proposal. It might, perhaps, be said, that the resident members of that University had taken no steps to make their opinions on this question known. In the first place that could be accounted for by the fact that the long vacation set in before attention had been called to the subject then under discussion, but it should further be remembered that, under the Bill as it originally stood previously to the introduction of the Amendment of the right hon. Gentleman the Member for Oxford (Mr. Cardwell), the occupiers of college rooms would have been qualified to vote, and thus the old adage, "Let a sleeping dog lie," would naturally have suggested a policy of inaction. It had also been presumed that the University of Cambridge was opposed to his proposal, but the Council of the Senate passed Resolutions in favour of it on the 16th May, last, as follows:—

"1. It is desirable that no provision be introduced into the Representation of the People Bill, excluding a graduate of Cambridge whose name is on the University Register, from the operation of any one of the enfranchising clauses of that Bill, and thereby preventing him from being registered as an elector of the city or borough in which he resides, whether he resides within the precincts of a college or not. 2. It is also desirable that provision be made, if necessary, that such graduate shall have the same privilege of being registered as an elector of the city or borough in which he resides, by reason of any such enfranchising clause, as if his name were not on the University Register, and he were not resident within the precincts of a college. 3. Since under the 24th section of the Cambridge Award Act, the whole college property is deemed to be in the occupation of the college, and the college is assessed for the same in its corporate name, it is further desirable that individual members thereof, or students, occupying parts of it exclusively, shall be regarded either as compound householders or as lodgers, so that they may be entitled to be registered as electors of the borough of Cambridge, by reason of such exclusive occupation, anything in the said Cambridge Award Act or in any other Act notwithstanding."

With regard to the town of Oxford he confessed that he had only had an opportunity of making himself acquainted with the opinions of a limited number of its inhabitants. With the exception of the Town Council he believed that the inhabitants had not publicly expressed their opinions upon this point. With regard to Cambridge, an hon. Gentleman opposite had presented a Petition purporting to come from the Mayor and inhabitants of Cambridge against the proposal. He would not occupy the time of hon. Gentlemen by reading this document, but would merely direct their attention to one sentence which he must own tended considerably to diminish any value which might have been attached to the Petition. The petitioners actually stated that in their opinion the Amendment he (Mr. Lowther) proposed "would virtually confer dual votes in respect of one and the same qualification." Now they must either have believed what they said, or, they did not; he would take the more charitable view and assume that they did. What importance however would the House be disposed to attach to the opinions of those who showed themselves to be so grossly ignorant of the subject upon which they undertook to afford information? He happened to be in Cambridge when the meeting was held, and had ascertained that the meeting was only attended by about 250 persons, who put themselves forward as representing a population of 26,000. The resolutions which were embodied in the Petition were not carried without discussion, and the meeting was not by any means unanimously in their favour. As the House was determined to confer the privilege of the franchise upon every ratepaying householder and upon lodgers, he could not see on what principle they could withhold a similar privilege from those whose case he now submitted to their consideration. He would only detain the House with a very few words in conclusion respecting the claim of a class of voters who stood upon an entirely different footing from the Masters of Arts and whose case was, if possible, more unanswerable than theirs, and this was the class of Bachelors and adult undergraduates who possessed no vote for the University and who thus were to be marked out as the only persons in the United Kingdom who were unfit for the franchise. On what grounds of justice he would like to know—while the franchise was being conferred upon every householder and £10 lodger throughout the boroughs of the Kingdom—did they act? Under what pretext was it proposed to disfranchise these intelligent persons? Was it because they were resident for purposes of education and belonged to an educated class? If so, all he could say was that never since the growth of free institutions had a more monstrous proposition been submitted to the consideration of any Legislative chamber in the world.

Amendment proposed, in page 16, Clause 46, line 16, to leave out from the word "Conferred" to the end of the Clause.—(*Mr. Lowther.*)

Mr. CARDWELL said, he would promise to be brief, because of the anxiety of the House to proceed to the other Questions about to be brought forward. The proposal before the House was not that residents in academical buildings at Oxford and Cambridge should bear all the burdens as well as possess the privileges of citizens of those places; if it were so, there would be some force in the argument of the hon. Member. It was not consistent to propose to alter the existing law regulating the two Universities so that in one respect they should be parts of towns, while in others they were distinct. Our principle had always been that if a man was invested with the privileges of a citizen he should also discharge the duties and bear the responsibilities of a citizen. When the present Bill was introduced there did not appear to be any intention on the part of the Government to disturb the question as it stood. A change of this kind, if made at all, should be made on a more extended scale, dealing equally with the franchises and the duties and responsibilities of citizens. If they invested a body of men with the privileges of another class without at the same time throwing upon them a share in their responsibilities they would inevitably be sowing the seeds of discord. In opposing the Amendment before the House he hoped he should not be told that he was contending for disfranchisement. He disclaimed any such intention. The question before the House was whether or no they should disturb the existing relations between the Universities and the towns. From time immemorial the interests of the Universities and the towns or boroughs had been kept separate and distinct. That which represented learning should not be fused with that which represented trade. The House ought not to disturb by any Amendment in the Reform Bill the present system of rating, which had been settled for many years, with regard both to Oxford and Cambridge. By a clause in the Cambridge Act expressly, and by the general scope and effect of the Oxford Act, members of Universities and colleges, although liable to be rated, were exempted from the discharge of all municipal and parochial offices, the serving on juries, &c.; and anything which would alter or change that settlement would disturb the harmony which now prevailed both in Oxford and Cambridge. It was doubtful whether, as the clause then stood, the residents in colleges would not come in under the lodger clause. If so, it was contrary to the intention of the Bill. The object of the lodger clause was to introduce into the franchise men who by their special occupations were connected with commercial communities, and who it was considered were entitled to vote for Members for those particular localities; but it was never intended by the lodger franchise to give a vote to those who did not participate in the general interests of the community, in the midst of which they resided as lodgers. As it was doubtful what the effect of the law in respect to this question would be under the present Bill it would be better for the House to decide it rather than leave it to the decision of the Court of Common Pleas. He had presented Petitions from the city of Oxford, under the corporate seal, and from the borough of Cambridge, at a meeting presided over and signed by the Mayor, in favour of the clause. He had believed at the time that the Amendment which he had proposed, and which had been adopted by the Committee, expressed the intentions of Her Majesty's Government, and he trusted that they would not encourage the House to agree to the Motion of the hon. Member.

MR. GATHORNE HARDY said, he trusted that the House, in consideration of the peculiar position in which he was placed with regard to this question, would permit him to say a few words as to the course which he proposed to take. When the clause was in Committee he was placed in a difficulty in consequence of what passed between his right hon. Friend and himself. His right hon. Friend came to him and asked whether there was any intention on the part of the Government to offer opposition to the Amendment which he proposed. Having ascertained that such opposition was not intended, he informed his right hon. Friend of the fact and consequently felt bound to vote in its favour. He must confess that he had laboured under a great misapprehension as to the views taken of this matter. The Universities had been to a great extent in recess; but communications had been made to him entirely adverse to the course adopted by the Committee, and the representations which had been made to him were to the effect that they did not dread the collision which the right hon. Gentleman anticipated. The right hon. Gentleman's argument was scarcely consistent, because lodgers were not called upon to perform those duties of citizenship to which householders were liable; and if the members of colleges and Universities residing in colleges came upon the register as lodgers they would not be called upon any more than other lodgers to discharge parochial offices and duties. The right hon. Gentleman, in support of his views with regard to Oxford, had quoted from the Cambridge Act, which excluded the residents in Colleges who paid rates from the discharge of parochial duties and offices; but in the city of Oxford, the University was represented on the local board and among the guardians of the poor. The rating was put upon the bursars, and though each separate room was not rated by the overseers of the poor in each college, the proportion of rating was ascertained and the occupiers of rooms had to pay their proportion, in addition to their rent. Therefore they were placed in a peculiar position. He admitted that, so long as they remained in that position, they could not come upon the register as rated-householders; but the question before the Committee was whether, by putting into the Bill that which was not there before, they would exclude from the register such intelligent lodgers as these. It was said that they had already a vote for the University; but they did not vote on the ground of their residence, but as members of the University. The residents of the Universities did not vote as residents; they voted in virtue of their degrees. They did not vote as residents in colleges, but as members of Convocation. In the new state of things the colleges must be considered part of the town, and when a new franchise was introduced, that of lodgers who did not take part in the local government, and did not pay rates, on what principle were these lodgers to be admitted, and the residents of colleges excluded, who did take part in the local government, and who did pay the rates through the bursars? What were the objections to the proposal? It was said that they would be brought into collision with the corporation of Oxford. But the hon. Member for Oxford was a member of the local board, and was one of the guardians of that city, and had he found that any of those dreadful collisions had occurred? He quite agreed, that as long as the University and colleges of Oxford were kept perfectly distinct from the corporation, a good deal might be said for his view; but when a new state of things was to be established, by which lodgers were to be admitted to the franchise, he did not see how they could exclude persons who performed all the duties of lodgers, and who, although they were not rated personally, paid rates through the bursar of their college. Under these circumstances he felt bound to support the Amendment.

MR. NEATE said, he was anxious, as one who had been mixed up both with the city and the University of Oxford for a long time, to say a word on this subject. As a Liberal and a Radical he had no objection to the Amendment; but if it passed it would be quite useless for a Conservative to show himself in the University of Oxford for the next twenty years. He (Mr. Neate) felt quite sure that to agree to the Amendment would be to strike a blow at the root of that confidence and affection which existed between the University and the city. The University had taken care to maintain its existence entirely apart from that of the corporation; and the great body of the colleges knew nothing about the affairs of the town, and took no interest whatever in them. He trusted that the House would not give its sanction to what he felt to be an outrage on the inhabitants of Oxford and Cambridge.

Mr. BEACH said, that the question was not whether they were by this proposal to advance the interests of the Conservative or Liberal party; but simply whether they were to do an act of justice, and enable those who bore the burdens of the place to exercise its constitutional privileges. Seeing that a franchise had been introduced for lodgers who bore no part of the burdens of the community among whom they lived, he maintained that no answer but an affirmative one could be given to the question.

Sir ROUNDELL PALMER said, that if the hon. Gentleman had studied the Act of Parliament founded on the Cambridge Award, which related to the subject, he would probably have come to a different conclusion. It was distinctly laid down that, although liable to contribute to the rates for the relief of the poor to a considerable extent, the members of the University were not to be liable to the other municipal and parochial burdens. Lodgers were admitted to the franchise as householders in the second degree; but when the household franchise was in question at the time of the Reform Act, the Universities were expressly excluded from that franchise in the towns in which they were situated. The members of the Colleges resided within them simply for academical purposes, and not from any connection with the town. To give members of the Universities votes for the towns would be simply introducing the ascendancy of the University over the local element at the town elections. It was said that the numbers introduced would not be very great; but the supremacy of the Universities would not depend on numbers only. The University electors, though not numerically preponderant, were persons of great social position. If they took away from the towns the right to say "This is our franchise; you have your own," they might depend upon it that the University influence would be exercised in a manner galling to the inhabitants. They would be giving a boon of no great value to the Universities and would be doing a great injury to the towns. They had heard much of University but little of town opinion. A petition bearing the corporate seal had been presented from Oxford against the proposal, and from Cambridge there had been a similar petition. [Mr. Powell: Not similar.] He did not mean that it had the corporate seal affixed, but its prayer was the same; while there had been none from either of these towns in favour of the clause.

Mr. LOWTHER: There has been one from Cambridge bearing 500 signatures.

Sir ROUNDELL PALMER: He had not heard of that till this moment; nor, he suspected, had the hon. Member himself, for if he had been aware of it at the time, he would certainly have mentioned it in his speech. If such was the fact it appeared, no doubt, to show that there were 500 persons in Cambridge favourable to the proposal, but he was much surprised to hear it. One thing was quite clear, that if the Amendments were carried they would be giving to the towns of Oxford and Cambridge a right to call on the House in its future legislation to equalize the Members of the Universities and the citizens for all purposes whatsoever — for municipal as well as for political puposes, and in that case the whole local government of those towns would have to be re-modelled. He hoped that the House would not now reverse the decision which they had come to by a considerable majority when the question was before them on a former occasion.

Sir WILLIAM HEATHCOTE said, he was rather surprised at the argument of his hon. and learned Friend that a constituency would be injured by having a variety of elements contained in it. He could not understand how the introduction of a number of educated gentlemen living at Oxford could have a deleterious effect. There was fallacy in the argument of his hon. and learned Friend that the influence of the members of the University as customers and employers would be in any way materially increased by their admission as voters into the town constituency All those influences which they would then have they possessed at present. When this question was before the Committee a short time ago, he was unwilling to disturb the rating arrangements between the Universities and the towns. He had before his eyes the way the compound-householder had been dealt with, and he was unwilling to expose the amicable relations between the Universities and the towns to any derangement. But no one could say that the inhabitant of a room was a rated householder, and therefore the only question which remained was, whether the Members of the Universities could be introduced as lodgers? He had considerable doubts upon the subject, but he could not understand how the proposal was to lead to the lamentable consequences which his hon. and learned Friend apprehended. When the right hon. Gentleman the Member for Oxford and the hon. and learned Member for Richmond enlarged upon the different duties and rights of the Universities and the towns, they left out of sight the fact that the giving of a vote to the members of the Universities would not interfere with either the one or the other. They would remain just as they were. He did not see on what principle the objection to this Amendment could now rest, and therefore, though he did not attach so much importance to the Amendment as some hon. Friends of his did, he should vote in its favour.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided* :—Ayes 84; Noes 145: Majority 61.

AYES.

Acland, T. D.
Adam, W. P.
Allen, W. S.
Ayrton, A. S.
Baines, E.
Barnett, H.
Bazley, T.
Buller, Sir E. M.
Butler, C. S.
Buxton, Sir T. F.
Candlish, J.
Cardwell, rt. hon. E.
Cavendish, Lord F. C.
Cheetham, J.
Clinton, Lord E. P.
Collier, Sir R. P.
Cowen, J.
Craufurd, E. H. J.
Crawford, R. W.
Denman, hon. G.
Dodson, J. G.
Duff, M. E. G.
Esmonde, J.
Evans, T. W.
Ewing, H. E. Crum-
Forster, C.
Forster, W. E.
Fortescue, hon. D. F.
Gilpin, C.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Gregory, W. H.
Grey, rt. hon. Sir G.
Hadfield, G.
Hanmer, Sir J.
Harris, J. D.
Hay, Lord J.
Hayter, A. D.
Headlam, rt. hn. T. E.
Henderson, J.
Holden, I.
Howes, E.
Hughes, T.
Hughes, W. B.
Ingham, R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Lawrence, W.
Leatham, W. H.
Leeman, G.
M'Laren, D.
Martin, C. W.
Martin, P. W.
Mill, J. S.
Morris, W.
Murphy, N. D.
Norwood, C. M.
O'Brien, Sir P.
O'Donoghue, The
O'Loghlen, Sir C. M.
Onslow, G.
Palmer, Sir R.
Pelham, Lord
Pollard-Urquhart, W.
Potter, E.
Rebow, J. G.
Robertson, D.
Rothschild, N. M. de
Salomons, Alderman
Samuda, J. D'A.
Seely, C.
Sherriff, A. C.
Smith, J. A.
Smith, J. B.
Stansfeld, J.
Synan, E. J.
Trevelyan, G. O.
Vanderbyl, P.
Western, Sir T. B.
Wyvill, M.
Young, G.
Young, R.

TELLERS.
Neate, C.
Simeon, Sir J.

NOES.

Adderley, rt. hn. C. B.
Amberley, Viscount
Anson, hon. Major
Arkwright, R.
Aytoun, R. S.
Baggallay, R.
Bagge, Sir W.
Barrington, Viscount
Bathurst, A. A.
Beach, W. W. B.
Beaumont, H. F.
Beecroft, G. S.
Bentinck, G. C.
Bowen, J. B.
Brett, W. B.
Bridges, Sir B. W.
Brooks, R.
Bruce, Lord E.
Bruce, C.
Bruce, Sir H. H.
Burrell, Sir P.
Capper, C.
Cartwright, Colonel
Cecil, Lord E. H. B. G.
Chatterton, rt. hn. H. E.
Clinton, Lord A. P.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cox, W. T.
Crossley, Sir F.
Curzon, Viscount
Dawson, R. P.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Dyott, Colonel R.
Eckersley, N.
Egerton, Sir P. G.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fawcett, H.
Fergusson, Sir J.
Gallwey, Sir W. P.
Galway, Viscount
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gore, J. R. O.
Gray, Lieut.-Colonel
Greenall, G.
Griffith, C. D.
Gurney, rt. hon. R.
Hamilton, rt. hn. Lord C.
Hamilton, Lord C. J.
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hay, Sir J. C. D.
Heathcote, Sir W.
Hervey, Lord A. H. C.
Herbert, hon. Col. P.
Hibbert, J. T.
Hildyard, T. B. T.
Hodgson, W. N.
Hope, A. J. B. B.
Hotham, Lord
Huddleston, J. W.
Jervis, Major
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Knight, F. W.
Knightley, Sir R.
Knox, hon. Col. S.
Labouchere, H.
Lacon, Sir E.
Langton, W. G.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, H.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lusk, A.
M'Lagan, P.
Mainwaring, T.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Mitchell, A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morgan, O.
Mowbray, rt. hon. J. R.
Naas, Lord
Neville-Grenville, R.
Noel, hon. G. J.
Packe, C. W.
Parker, Major W.
Patten, rt. hon. Col. W.
Peel, rt. hon. Sir R.
Peel, rt. hon. General
Platt, J.
Powell, F. S.
Pugh, D.
Repton, G. W. J.
Robertson, P. F.
Roebuck, J. A.
Rolt, Sir J.
Royston, Viscount
Sandford, G. M. W.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Seymour, H. D.
Simonds, W. B.
Stanhope, J. B.
Stanley, Lord
Stronge, Sir J. M.
Sturt, H. G.
Sturt, Lt.-Col. N.
Taylor, Colonel T. E.
Thorold, Sir J. H.
Thynne, Lord H. F.
Torrens, R.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Vance, J.
Walker, Major G. G.

Walpole, rt. hn. S. H.
Walsh, A.
Whitmore, H.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.
Lowther, J.
Gorst, J. E.

THE CHANCELLOR OF THE EXCHEQUER moved the adoption of the Schedule containing the following list of "Offices of Profit," the interchange of which by Ministers of the Crown might henceforward be made without any vacating of seats:—

"Lord High Treasurer, Commissioner for executing the Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland, President of the Privy Council, Vice President of the Committee of Council for Education, Comptroller of Her Majesty's Household, Treasurer of Her Majesty's Household, Vice Chamberlain of Her Majesty's Household, Equerry or Groom in Waiting on Her Majesty, Any Principal Secretary of State, Chancellor and Under Treasurer of Her Majesty's Exchequer, Paymaster General, Postmaster General, Lord High Admiral, Commissioner for executing the Office of Lord High Admiral, Commissioner of Her Majesty's Works and Public Buildings, First Church Estates Commissioner, President of the Committee of Privy Council for Trade and Plantations, Chief Secretary for Ireland, Commissioner for Administering the Laws for the Relief of the Poor in England, Chancellor of the Duchy of Lancaster, Master of the Rolls, Judge Advocate General, Attorney General for England, Solicitor General for England, Lord Advocate for Scotland, Solicitor General for Scotland, Attorney General for Ireland, Solicitor General for Ireland.

New Schedule (F) *brought up*, and read the first and second time.

SIR ROUNDELL PALMER said, the list ought to be confined to those officers of the Crown who, in the ordinary course of things, vacated office upon a change of Government. But "the first Church Estates Commissioner" and the "Master of the Rolls" were entirely outside that category, and he was at a loss to understand on what principle either office was introduced. It was certainly possible that "the first Church Estates Commissioner" might afterwards be appointed to some political office in the Government; the office itself, however, was not a political, but a permanent office, Such a change would not therefore be from one office to another *ejusdem generis*, but would be a change from a non-political to a political office. This was not the sort of change which the House meant to facilitate without loss of seat. The case of the Master of the Rolls was more extraordinary still. Although a very eloquent speech was made by Lord Macaulay which induced the House to allow the Master of the Rolls to retain his seat there, he was unable to see why one Judge alone should be able to sit in this House. That, however, was not now the question. It was not likely, although it was possible, that the Master of the Rolls should ever be chosen to fill a political office. But the Attorney General might be made Master of the Rolls. Was his constituency to have no choice but to retain him as their representative, although by becoming a Judge he had ceased to be a politician? He moved the omission of those two offices from the Schedule.

THE CHANCELLOR OF THE EXCHEQUER said, he was prepared to adopt the suggestion of the hon. and learned Gentleman. He had felt great doubt from the first as to the introduction of these two cases, and agreed that the principle on which the list was based would not apply to them.

Amendment *agreed to.*

MR. DARBY GRIFFITH said, he did not believe the country knew or would approve the changes involved. He moved the omission of the Paymaster General.

Amendment *negatived.*

Schedule, as amended, *added.*

Schedule (B.)

MR. AYRTON said, he rose to move that, instead of conferring a Member on Darlington, one should be given to Wandsworth. The county of Durham, with 540,000 inhabitants, already sent ten Members to Parliament, and it was proposed to give it three more. What were Darlington's claims to representation? It was populated, for the most part, by an ignorant community, while Wandsworth was a suburb increasing in intelligence and wealth; and Surrey, the county in which it stood, with a much larger population of highly educated people than Durham, returned only eleven Members to Parliament. He was not asking the House to create a new constituency; Wandsworth was already a municipal borough incorporated for all the purposes of local government, and was quite fit for representation. Darlington had a population of some 13,000, which, by going to surrounding districts, might be raised to 16,000. Wandsworth had a population of 70,000, and a rateable value of £360,000. In relative valuation the difference between the two towns was most marked. That of Darlington was insignificant. He did not know that Darlington was distinguished for anything, except that it had more public-houses according to the population than any other place. He saw no reason why Stockton should be selected as well as Darlington. It appeared the only reason was that the two towns were connected by a railway. Between them it was impossible to make up such a population as would do more than justify the grouping them together into one borough. The Judge Advocate appeared to have been consulted on the claims of the county of Durham as he had been previously on the claims of the University of Durham, and the right hon. Gentleman had been equally successful in urging that these three dusty, dingy, dirty towns should enjoy a peculiar and exclusive privilege which had not been conferred by this Bill upon any other county in England. Either the solicitations of his Colleague on the Treasury Bench or the extreme activity displayed by the Members from the North in pressing upon the Government the claims of these small places had caused the Chancellor of the Exchequer to fall into the error of not giving due attention to the boroughs in the South. In his opinion this was a matter which the House ought to consider before it parted with the Bill, and he therefore moved that Wandsworth be substituted for Darlington.

Another Amendment proposed in Schedule (B), to leave out the words

Durham	Darlington	Townships of— Darlington Haughton-le-Skerne Cockerton

In order to insert the words

Surrey	Wandsworth	Wandsworth, Clapham, Tooting, Streatham, Saint Mary Battersea, Putney, and so much of the parish of Lambeth as is not included in the Borough of Lambeth

—(*Mr. Ayrton,*)

—instead thereof.

MR. HENDERSON said, it was obvious that the hon. and learned Member for the Tower Hamlets had never passed beyond the Tees and gone into the county of Durham, or he would not have ventured to make the extraordinary statements which he had just laid before the House. In the present instance his hon. and learned Friend had satisfactorily proved his entire want of knowledge of the population which he had attempted to disparage. Those who resided within eighteen or twenty miles of Darlington were accustomed to regard it as a borough which was distinguished by its industry and commercial activity. In order to show that the spirit of the people was very different from what it had been represented to be by his hon. and learned Friend, it was only necessary to remark that Darlington was the first town which adopted the great railway system, and which availed itself of the services of the great engineer, George Stephenson. In 1851 the population was 11,512, but in 1866 it had increased to 27,000, and the rateable value had increased from £39,000 to £79,000. It had the largest cattle market in the North of England. Then it was the coaling town of the southern division, and the seat of a considerable textile manufacture, besides which it had, perhaps, a more perfect railway communication than any other town in the kingdom. It possessed all those elements of success which would, at no distant day, make it the great centre of the iron district. Darlington was pre-eminently qualified to be represented in the House of Commons. A short time ago the hon. and learned Member for the Tower Hamlets had favoured the House with a strong philippic as to the necessity of making progress with this Bill. He therefore hoped he would not now delay that progress by re-opening the Schedules. At all events, he hoped the Chancellor of the Exchequer would not assent to such a course even in order to enable the hon. and learned Member for the Tower Hamlets to say that he had created the new borough of Wandsworth.

MR. LOCKE KING said, he thought he was somewhat better acquainted than his hon. and learned Friend (Mr. Ayrton) with the county of Surrey. The population of East Surrey was about 800,000 altogether, but when the boroughs were excluded it was not much over 200,000. They were divided into districts of about 100,000 each. If the 70,000 in Wandsworth and the neighbourhood were taken from Mid Surrey, there would scarcely be any population left. Of all the towns in Surrey, Croydon had the best claim to be represented. It numbered between 40,000 and 50,000 inhabitants, and had been introduced into almost every Reform Bill, though eventually it had been invariably omitted ; but with regard to giving Parliamentary representation to Wandsworth there had been no agitation whatever. He had not felt it his duty to press for a

Member for Croydon, because the population of the new division of East Surrey was so reduced that if Croydon were subtracted from it only a comparatively small population would be left. Under all the circumstances, however, he must either move some Amendment in favour of Croydon or else vote against the Amendment.

THE CHANCELLOR OF THE EXCHEQUER said, he hoped the House would not be seduced into re-opening the Schedules. He wished to make one remark on this subject without entering at all into the variety of considerations which must be attended to in deciding upon such a question as the re-distribution of seats. He would merely recall to the recollection of hon. Members the circumstance that no additional representative had been given to the county of Durham. In the opinion of Her Majesty's Government there were in that portion of the kingdom more signs of rapid development and increasing industry than in any part of the country which was not represented. In the southern division of the county there was not a single Parliamentary borough.

Question, "That the words proposed to be left out stand part of the Schedule," put, and *agreed to.*

MR. CHEETHAM moved an alteration of the temporary boundaries of the new borough of Staleybridge, by the omission of the words—

> "Remaining portion of the township of Dukinfield, township of Stayley, and the district of the local board of health of Mossley."

Another Amendment proposed,

> In Schedule (B), page 19, line 8, to leave out the words "remaining portion of Township of Dukinfield, Township of Stayley, and District of the Local Board of Health of Mossley."—(*Mr. Cheetham.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

THE CHANCELLOR OF THE EXCHEQUER said, he hoped the Amendment would not be pressed, as the proposed boundaries were temporary, and must be determined by the Boundary Commissioners.

Amendment, by leave, *withdrawn.*

Schedule (C).

MR. SANDFORD moved that the parish of West Ham should be added to the borough of Hackney. At the last census the population of the parish was 38,000 and now it was 50,000. As the parish was large enough for independent representation, and the population was more borough than county, it was not right that it should be merged in the county. He trusted he should receive the support of Her Majesty's Government, as the proposal formed part of their original proposition.

Another Amendment proposed in Schedule (C), after the words "Borough of Hackney," to add the words "the parish of West Ham."—(*Mr. Sandford.*)

MR. BUTLER: I cannot understand, Sir, upon what principle the hon. Member for Maldon thinks it desirable to add the large parish of West Ham to the enormous borough of Hackney. The proposed borough of Hackney already contains a population of 400,000, and the present number of electors exceeds 21,000. Under this Bill the number of voters must exceed 30,000, and will probably approach 40,000. This being the case, is it desirable to extend the size of such a borough—ought we not rather to reduce it? Again, is it wise to take a parish from a county and introduce it into the metropolitan area? It is not in the same county. It is not even within the limits of the metropolitan Board of Works. The parish of West Ham contains 50,000 inhabitants—large enough for separate representation—and if the hon. Member is anxious that it should be severed from Essex, perhaps he will consider the propriety of moving that it should have one Member, but I am sure on reflection he will not press the House to add it to a large borough already numbering 400,000 inhabitants. Sir, West Ham is not desirous of being disconnected from the county of Essex, nor is the borough of Hackney desirous of the union. I trust, therefore, the hon. Gentleman will withdraw the Motion to avoid the necessity of dividing the House, and I hope the right hon. Gentleman the Chancellor of the Exchequer, having himself withdrawn West Ham from the Schedule, will not consent to its being again added.

SIR T. F. BUXTON said, this proposal had been made before, but it had been withdrawn because it was unpopular in West Ham itself.

THE CHANCELLOR OF THE EXCHEQUER said, the addition of West Ham to Hackney would lead to a total reconstruction of the representation of the county of Essex. The Committee would not have made a third division of the county if West Ham had been taken out, and the House would hardly sanction such a re-construction of the representation as was now proposed.

Lord EUSTACE CECIL said, it would be better for the county and for West Ham if it could be formed into a borough.

Question, "That those words be there added," put, and *negatived.*

Schedule (D).

Mr. SANDFORD said, he had another Amendment on the subject of Essex, which had been badly treated. The divisions displayed ignorance of its geography. He moved that Colchester should be inserted instead of Braintree as the place for holding the elections for North-East Essex. Colchester was nearer the centre of the division than Braintree, it was the capital of the county, and it was on the main line of railway.

Another Amendment proposed in Schedule (D), to leave out the word "Braintree" and insert the word "Colchester." —(*Mr. Sandford.*)

Sir THOMAS WESTERN said, he thought the question peculiarly one for the Boundary Commissioners.

The CHANCELLOR of the EXCHEQUER said, that his hon. Friend the Member for Maldon was labouring under an erroneous impression. The names in the Schedule were merely temporary, and the Boundary Commissioners were to decide in what places the elections should be held.

Question, "That the word 'Braintree' stand part of the Schedule," put, and *agreed to.*

Mr. AYRTON moved the recommittal of the Bill in order to add to Clause 5 words, the effect of which would be, in cases where the rent of a house was paid at shorter periods than three months, to make the owner as well as the occupier liable for the payment of rates.

Mr. GATHORNE HARDY said, he hoped the House would not assent to the proposal. The Amendment would throw upon the landlord of all these tenements an obligation for which at present he was not liable, without any compensation whatever. There would arise all the questions which had led to the system of compounding—namely, whether houses were occupied or not at the time the rate was made. Having now gone through Committee and come to the end of the Amendments, he did not think the House would be prepared to enter upon the immense question of the compound-householders.

Mr. HARVEY LEWIS said, he might mention that the loss of rates in the metropolitan parishes, occasioned by the Amendments in the Bill, would be very great.

Motion made, and Question, "That the Bill be re-committed in respect of Clause 5," —(*Mr. Ayrton,*)—put, and *negatived.*

Bill to be read the third time upon *Monday* next. [Bill 250.]

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

COVENANTED EDUCATIONAL SERVICE IN BOMBAY.

MOTION FOR AN ADDRESS.

Mr. GRANT DUFF: The Motion which I intend to make will not require many sentences of explanation. The circumstances are these:—In the autumn of last year the distinguished scholar who now fills the office of Director of Public Instruction in the Bombay Presidency, Sir Alexander Grant, addressed a letter to the Bombay Government, in which he pointed out that it would be greatly for the advantage of education in India if a fraction of the persons now employed in his department was, so to speak, broken off the top of the present educational service, and erected into a small separate and covenanted service. The views of Sir Alexander Grant found favour with the Government of Bombay; but the Government of India did not endorse the opinions of the authorities in the Western Capital, and very summarily rejected the whole scheme, without giving any reason. It was *sic volo, sic jubeo.* Sir Alexander Grant is a man so well known in the world of letters, has so deep an interest in India, and is so experienced an official, that I am sure this want of consideration was merely apparent. The Government of India must have had some reason for acting as it did. Perhaps as it is responsible for outlay, this was fear of the expense. The change suggested by Sir Alexander Grant would involve, however, only a trifling addition to expense, for it would apply merely to some thirty appointments—Principalships of Colleges, Professorships, Inspectorships, and the like. The appointments not affected by it would be about 2,000. The reason why it is confined within such narrow limits is this—The existing regulations with regard to pay, claims for pension, and so forth, are quite suitable when considered with reference to the wants of the immense majority of the educational employés; but they are quite unsuitable for the employés who are at the head of the education of the Presidency, and on whose efficiency depends the success of the magnificent experiment which we are making in that as in other parts of India. The principal grievances of the higher educational officials are these—First, for the covenant which used to be made with persons in their position, is now substituted a letter in which it is expressly stipulated that they shall be removable at six months' notice. Second, they have no claim for pension, unless they have served twenty-seven years in India, or have to leave the country after twelve or twenty-two years, with utterly broken health. Third, they have—and this is a serious matter in an official society, where every one ought to fit into his place like the pieces in a Chinese puzzle—no recognized position or status. They are, as has been said, outcasts and pariahs. Now the Indian Government is perfectly justified in making the best terms it can, provided it does not sacrifice efficiency to cheapness, but it will soon be found that it is sacrificing efficiency to cheapness, if not to mere dislike of novelty and attachment to the old traditions of the pre-educational period. No one would, I suppose, at this moment, advise a young man who had distinguished himself at Oxford or Cambridge to enter the educational service of India. It is a poor career leading to very little. He would do much better to enter the Civil Service, where he is protected by a covenant and entitled to many advantages to which persons in the educational service have at present no claim. And yet it is surely quite clear that you must have at the head of great schools like the Elphinston, the Poona, the Ahmedabad, or Belgaum High schools, a European gentleman of high education, who will give a tone to the whole teaching. You must have the same class of men for your inspectors. You must have the same class of men for your professors at Bombay. Only think for a moment what enormous influence is wielded by these last. Think how much mischief may be done by the teaching of inferior men. Think of the influence of first-rate professors in moulding the opinions of the newspaper writers alone, to say nothing of the native professional men of all sorts. Is it worth while being either careless or penny-wise when interests so colossal are at stake? The Indian Government will, it seems to me, distinctly fail in its duty if it does not organize its education department just as carefully as any other. This is not a matter to be left to chance or to voluntary effort. Above all, the provision of a thoroughly efficient nucleus, which will be as it were the brain of the whole service, is to the last degree important. I think I see some symptoms of a premature satisfaction with results already obtained — a notion that the machine is now set agoing, and that anybody can work it. That is a delusion.. We have made an admirable beginning in the education of India. Every day the people are learning more thoroughly to appreciate what is being done for them in this respect. I am told, on excellent authority, that in Western India the population would support compulsory primary education, based on local rating, and I have no doubt with a little pains, you may make your Presidential Universities not only the means of diffusing far and wide through Asia the learning and science of Europe, but even independent centres of thought and research which may re-act beneficially upon this quarter of the globe. We have made I say an admirable beginning, but only a beginning. I hope the right hon. Gentleman will assure us to-night that there will be no fainting or failing in this good work, and will, as an earnest of his good intentions, produce the papers for which I move, and tell us that he has called the attention of the Government of India to Sir Alexander Grant's suggestion as dealing with a matter in which the Home Government has a deep interest, and which it would be sorry to see lightly put aside. I do not, of course, ask him to commit himself to details nor even to principles; but I do ask him to say or to imply that the object at which Sir Alexander Grant aims—the raising and regenerating the native mind—is one hardly inferior in importance to any for which our rule in India exists.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of Correspondence between the Director of Public Instruction at Bombay and the Secretary to Government at Bombay, with respect to the constitution of a small covenanted educational service in that Presidency,"—(*Mr. Grant Duff,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. KINNAIRD said, he hoped that the right hon. Gentleman (Sir Stafford Northcote) would follow out the principles laid down by Secretary Sir Charles Wood, and that the right hon. Gentleman would act on the principle of the grant in aid. The extension of education would be of the greatest benefit to India, and in proportion to the degree in which education was extended among the native population might be calculated to a great extent the chance of our securing continued possession of that country.

SIR STAFFORD NORTHCOTE said, he had no objection to lay the Papers on the table. What had taken place was this:—Sir Alexander Grant submitted proposals to the Government of Bombay, they were then communicated to the Government of India, and that Government, in an extremely short despatch, acknowledged the receipt of them, and stated that in their opinion they were not worth entertaining. Though not at present prepared to pronounce any final judgment on the subject, he thought it clearly deserved greater consideration, and he had therefore requested the Indian Government to state their views upon it more fully. He quite agreed with his hon. Friends that those engaged in the education of the people of India should not be placed in a position inferior to those filling judicial or other civil offices. Whether they should be placed on precisely the same footing as the covenanted service he was not prepared to say. He presumed that his hon. Friend (Mr. Grant Duff) did not desire that they should be selected by competition from young men of eighteen or twenty-one years of age, and should invariably begin at the bottom, for this would preclude persons of more mature age and of University distinction from entering the educational service. He supposed that his hon. Friend desired to place the educational service of India on a fair footing, and on a footing of its own. Sir Alexander Grant was an officer of the highest distinction, and any recommendation from him was deserving of consideration. The subject would engage his earnest attention, and it was very useful that such topics should also engage the attention of the House. There was in many quarters a great desire for an improvement of education in India, but they looked very much to the expression of opinion in this country, and above all to the notice taken of such matters in the House. The natives wished to see whether education was thought as much of here as their instructors told them it was. The expression in that House of a desire to raise the position of those who went out to India as the educational staff would do nothing but good.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of Correspondence between the Director of Public Instruction at Bombay and the Secretary to Government at Bombay, with respect to the constitution of a small covenanted educational Service in that Presidency.

PARLIAMENT—ST. STEPHEN'S CRYPT.

QUESTION.

MR. WHALLEY said, there was a certain chapel or crypt adjoining the cloak room which had been lighted up all the evening, and which had been fitted up in all respects to represent a Roman Catholic chapel. It so much resembled a Roman Catholic place of worship that several ladies and gentlemen had thought it incumbent upon them to go through the forms of their religious worship on entering that chapel. He wished to know for what object and at whose expense it had been fitted and lighted up that evening. The exhibition would have been more complete if the adjoining chamber, once occupied by Guy Fawkes, had also been fitted up and shown with it. If they were to have the present exhibition got up regardless of expense, they certainly should have the adjoining chamber also exhibited, so that the whole exhibition might be seen in a complete form. For himself he had felt it to be a great affront to witness an exhibition of that kind.

LORD JOHN MANNERS said, that the restoration of St. Stephen's crypt had been carried on for several years past, and it had not now been lighted up for the first time. The illumination of the crypt was part of the illumination of the House and the corridor connected with it. The hon. Member had asked from what fund the illumination was paid, and he (Lord John Manners) could only say that he apprehended that it was paid for out of the same fund which supplied light for other parts of the building, and he believed that the expense of lighting was about 8*s*. an hour.

Mr. KINNAIRD said, everyone must admit the great beauty of the place. He supposed that the restoration had taken place so that they might see an interesting work of antiquity; and further, that they might receive a lesson to avoid the superstitions that had influenced their ancestors. He had never seen any estimate of the cost of restoring the crypt, nor did he remember any Vote in Supply for the purpose.

SUPPLY.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

Supply — Civil Service Estimates *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £150,035, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Superannuation and Retired Allowances to Persons formerly employed in the Public Service."

Mr. BAILLIE COCHRANE said, that it would be unjust to hon. Members who had Motions upon going into Committee of Supply if Supply were to be taken at that hour—quarter past twelve, and especially so when the understanding was that Supply should not be taken after ten on Friday nights.

Mr. HUNT said, that this Session was a peculiar one, for in consequence of the time occupied by the Reform Bill they had not been able to take Supply in the usual course. If any Vote were seriously contested he should be willing to postpone it.

Mr. Alderman LUSK said, he hoped that they would not be asked to go into Supply at so late an hour.

Lord ELCHO said, that he had put off a notice on going into Committee of Supply, in the hope of getting a measure considered which stood No. 13 on the Paper.

Mr. KINNAIRD said, he had certainly understood that the arrangement made by the Government with the hon. Member for Galway that morning was, that the latter was to put off his Motion in order to allow the Reform Bill to be proceeded with, but that no other measure was to be taken by the Government.

Lord John Manners

Mr. HUNT said, he would remind hon. Members that they would lose nothing by their assenting to the Government taking a few unopposed Votes in Committee of Supply.

General DUNNE said, he had a Notice on the Paper before going into Supply which he should certainly like to bring on if the hour were not so late.

Mr. WHALLEY said, their attention was called by the Secretary of the Treasury to a Vote for £150,000, whereas on looking at the Paper he found the sum to be £197,000. He complained of the absence of information as to the Votes taken on account, and also of the large amount asked for superannuation allowances.

Mr. HUNT said, that a Return had been presented showing the sums already voted and those to be voted. Returns respecting the superannuation allowances had been also presented to Parliament.

Mr. Alderman LUSK said, he must protest against going on at that late hour with Votes in Supply, and therefore moved that the Chairman report Progress and ask leave to sit again.

Whereupon Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Lusk.*)

The Committee *divided:* — Ayes 3; Noes 69: Majority 66.

Original Question put, and *agreed to.*

Mr. WHALLEY said, he wished to call attention to the number of superannuations caused by changes in departments, or the alteration and abolition of offices, and to ask for some explanation on the matter.

Mr. HUNT said, that it frequently happened that when an office was abolished there were some clerks who were too old to be transferred to others, and who were not above the age at which they could claim their retiring allowance. The abolition of offices was mostly effected by Act of Parliament, and the Government had no option in the matter.

Mr. Alderman LUSK said, he could not imagine how it was that clerks could not be transferred to other offices on the abolition of particular departments. There were several cases in the Votes in which the clerks superannuated were comparatively young, and yet were allowed to retire on full pensions.

Mr. CHILDERS said, that there was

great weight in what the hon. Member opposite said, that these offices were abolished by Act of Parliament. Hon. Members sat there night after night passing Bills involving enormous expense in superannuations, and raising no voice against them until a year or two afterwards, when the Estimates for the retiring allowances came before them.

MR. STEPHEN CAVE said, he concurred in what had been said by the hon. Member for Pontefract.

MR. FINLAY said, the Vote had incurred £11,000, being 6 per cent on the whole Vote.

MR. WHALLEY said, he considered that sixty-seven years of age was much too early for retirement.

MR. HUNT said, that the Act of 1859 settled the question of pensions.

MR. CHILDERS said, the law was that after sixty years of age an officer who had served forty years was entitled to a pension of two-thirds of his salary.

(2.) £638, Toulonese and Corsican Emigrants, &c.

(3.) £325, Refuge for the Destitute.

(4.) Motion made, and Question proposed,

> "That a sum, not exceeding £1,580, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Subsistence of Polish Refugees, and Allowances to distressed Spaniards."

MR. WHALLEY said, that Polish insurrections were the result of intrigues of the Roman Catholic priesthood against the heretic church of Russia. It was not just to the people of this country to encourage such proceedings.

MR. ALDERMAN LUSK said, he wished to inquire how those annuities were granted, and how long they were to last?

MR. HUNT said, the Vote was £500 less than last year. Some addition to the Vote was sanctioned by the late Lord Palmerston at the instance of the late Lord Dudley Stuart.

MR. W. E. FORSTER said, he would ask, whether the hon. Member for Peterborough could expect the Government to commit a breach of faith with these people.

MR. WHALLEY said, he thought the interruption of the hon. Member was impertinent. He had no right to imagine that he desired any breach of faith.

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Whalley.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(5.) £38,040, to complete the sum for Merchant Seamen's Fund Pensions.

(6.) £27,400, to complete the sum for Distressed British Seamen Abroad.

(7.) £2,710, Miscellaneous Charges formerly on the Civil List, &c.

MR. ALDERMAN LUSK said, the charges were curious, and asked whether they would ever cease.

MR. HUNT said, they had existed for many years, and supposed they must continue.

Vote *agreed to.*

(8.) £1,183, to complete the sum for Public Infirmaries (Ireland).

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Lusk,*)—put, and *negatived.*

(9.) Motion made, and Question proposed,

> "That a sum, not exceeding £11,845, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the support of certain Hospitals in Dublin, and for the Expense of the Board of Superintendence."

Whereupon Motion made, and Question proposed,

> "That a sum, not exceeding £10,845, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the support of certain Hospitals in Dublin, and for the Expense of the Board of Superintendence."

MR. ALDERMAN LUSK said, he wished to ask, whether this Vote was to be continued year after year to these hospitals? The Government ought to bring the Vote to a close.

LORD NAAS said, a Committee had recommended this expenditure, and that recommendation was followed.

GENERAL DUNNE said, that Ireland was charged for the Parks of London—and asked why these hospitals should not receive a grant from the State.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(10.) £5,323, Concordatum Fund, and other Charities and Allowances, Ireland.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

GAME LAWS AMENDMENT (IRELAND) BILL.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Mr. Vance,*)—put, and *agreed to.*

House adjourned at Three o'clock, till Monday next.

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HOUSE OF LORDS,

Monday, July 15, 1867.

MINUTES.]—Select Committee—On Vaccination, The Earl of Shaftesbury and Earl De Grey *added.*

Public Bills—*First Reading*—Trades Union Commission Act (1867) Extension* (225); Barrack Lane, Windsor (Rights of Way)* (226).

Second Reading — Local Government Supplemental (No. 5)* (221).

Committee — Inclosure (No. 2)* (158); Trusts (Scotland)* (195).

Report—Trusts (Scotland)* (195).

Third Reading—Pier and Harbour Orders Confirmation (No. 2)* (187); Real Estate Charges Act Amendment* (191); Public Records (Ireland)* (210); Court of Appeal Chancery (Despatch of Business)* (215), and *passed.*

Royal Assent—Chester Courts [30 & 31 *Vict.* c. 36]; Public Libraries (Scotland) Acts Amendment [30 & 31 *Vict.* c. 37]; Metropolitan Police [30 & 31 *Vict.* c. 39]; Bunhill Fields Burial Ground [30 & 31 *Vict.* c. 38]; Houses of Parliament [30 & 31 *Vict.* c. 40]; National Gallery Enlargement [30 & 31 *Vict.* c. 41]; Hypothec Amendment (Scotland) [30 & 31 *Vict.* c. 42]; Drainage and Improvement of Lands (Ireland) Supplemental [30 & 31 *Vict.* c. 43]; Statute Law Revision [30 & 31 *Vict.* c. 59]; Vice Admiralty Courts Act Amendment [30 & 31 *Vict.* c. 45]; Lis Pendens [30 & 31 *Vict.* c. 47]; Sale of Land by Auction [30 & 31 *Vict.* c. 48]; County Treasurers (Ireland) [30 & 31 *Vict.* c. 46]; Court of Chancery (Ireland) [30 & 31 *Vict.* c. 44]; British White Herring Fishery [30 & 31 *Vict.* c. 52]; Land Tax Commissioners Names [30 & 31 *Vict.* c. 51]; Bridges (Ireland) [30 & 31 *Vict.* c. 50]; Local Government Supplemental (No. 3) [30 & 31 *Vict.* c. 49]; Lunacy (Scotland) [30 & 31 *Vict.* c. 55]; Limerick Harbour (Composition of Debt) [30 & 31 *Vict.* c. 53]; Charitable Donations and Bequests (Ireland) [30 & 31 *Vict.* c. 54]; Pier and Harbour Order Confirmation (No. 3) [30 & 31 *Vict.* c. 61]; Galway Harbour (Composition of Debt) [30 & 31 *Vict.* c. 56]; Blackwater Bridge [30 & 31 *Vict.* c. 57]; Linen and other Manufactures (Ireland) [30 & 31 *Vict.* c. 60]; Edinburgh Provisional Order Confirmation [30 & 31 *Vict.* c. 58].

ARMY—MARCH OF TROOPS TO HOUNSLOW.—QUESTION.

Earl DE GREY said, he rose to ask the noble Earl the Under Secretary for War a Question, of which he had given him private notice, relating to the conduct of the officers who commanded the troops that recently marched from Aldershot to Hounslow to attend the proposed review in Hyde Park. He understood that rumours were abroad that a certain degree of blame attached to these officers, and particularly to the General officer commanding the brigade for moving the troops at too early an hour in the morning. He hardly expected to hear from one who had had so much military experience as the noble Earl that any officer was to blame for moving his troops early in the morning in hot weather. He believed that that was in accordance with the regulations of the service, and it was the proper course to adopt during the months of summer. Then it was said that the officer in command should have supplied the troops with rations before starting, and that it was frequently the custom so to do. The noble Earl would be able to tell him whether this was really the case—whether there was any regulation in the service to that effect—or whether the practice was sufficiently general that an officer should be censured who had neglected that duty? He should further like to know from the noble Earl whether it was true that a Staff officer had been sent to Hounslow in advance of the troops to make arrangements, and had found on arriving that no Commissariat officer was there. It was quite right that those who were in fault should be reprimanded, but it was unfair that aspersions should be cast on those who had not deserved them.

The Earl of LONGFORD said, this march had become almost as famous as the march of the Guards to Finchley; but the illustrations of the period show refreshments on the Finchley road, which appear to have been wanting at Hounslow. The facts were these:—On the 25th of June a brigade of cavalry was ordered to march from Aldershot to Hounslow Heath on the 3rd of July, and after having taken part in the proposed review in Hyde Park, to return on the following Saturday, the 6th. Instructions were at the same time sent to the Deputy Commissary General in London to supply the troops during their stay at Hounslow with rations and forage. It appeared that troops on moving from Aldershot sometimes drew their rations for the day before they started, consuming part and taking the rest with them. It was, however, not unusual for troops to wait for their rations until they finished their march. In this case, the Deputy Commissary General, although he had a week's notice of the march, made no inquiry, but assumed that the troops would be supplied before starting. He, consequently, made preparations at Hounslow to issue rations on the 4th, not on the 3rd; and when a Staff officer was sent from Aldershot, on the evening of the 2nd, to communicate with the Deputy Commissary General, who, it was expected, would be at Hounslow, he found that his mistake and consequent absence had overthrown all arrangements, and that no preparations had been made for the next day. Under these circumstances the Staff officer did his best—telegraphed to the proper authorities, obtained the assistance of a subordinate Commissariat Officer, and in the course of the day the supplies were obtained. The march from Aldershot was commenced at a proper hour, and nothing, as far as the reports went, could have been more regular than the proceedings of the officers at Aldershot. All that could be said was that there had been a blunder on the part of a Commissariat officer; and the Secretary for War had marked his sense of the Deputy Commissary General's conduct by removing him from his appointment. He hoped it would be understood that there had been no conflict of authority between the Horse Guards and the War Office, and no conflicting or contradictory orders between Departments, nor that the Commissariat Department was in any way deficient or incapable of carrying out any duties that might be imposed upon it. Indeed, the fact that the department was for some years more or less under the control of the noble Earl (Earl de Grey) was a pledge for its efficiency.

THE DUKE OF CAMBRIDGE said, he had no desire to throw blame on any department of the War Office for what had occurred, nor on the Commissariat Department in particular; but what had occurred certainly reflected no credit on it. When it was found that, owing to the neglect of an officer connected with the Department, a body of troops had been left for some time without provisions within ten miles of London, certainly some inquiry was necessary. He could not conceive how the Deputy Commissary General could offer such an excuse as he had made. His simple duty was to carry out his orders, and on the 25th of June the following instructions were sent to him by the Horse Guards:—

> "The undermentioned troops (giving the number and description of them) will be encamped on Hounslow Heath on Wednesday, the 3rd prox., and will return to Aldershot on Saturday, the 6th idem., and it is requested that the necessary arrangements may be made for the issue of rations and forage to the men and horses during their stay at Hounslow Heath."

Nothing could be more plain, clear, and simple. This was eight days before the march; and on the 28th another letter was addressed to him, notifying him of an alteration in the numbers of the troops. No instructions could have been more explicit, and his excuse was, he must say, perfectly ridiculous. How an officer like the Deputy Commisary General could say that he did not know that the troops would require supplies at Hounslow he was at a loss to comprehend. He could not allow any blame to rest upon the officers commanding the troops, who had simply done their duty. There was nothing unusual in marching troops early in the morning—if he were to find any fault at all it would rather be for the lateness of the hour at which they were sent—particularly in the summer, when there were 1,200 men to encamp, and there was a distance of twenty-six miles to march. Then it had been said that the Commissariat ought to have been made acquainted with the hour at which the troops were to arrive. In his opinion, that was not necessary. When due notice was given of the march of troops it was the business of the Commissariat to have everything prepared by the time the men arrived. If the Commissariat officer could not do so he was quite unfitted for the position. The rations ought to have been ready. As for troops taking their rations with them, he had asked general officers and colonels commanding regiments what they thought of it, and their answer was that they had never heard of such a thing in the whole course of their experience. If troops ever took their rations with them the circumstance was entirely exceptional. He contended, therefore, that no blame of any sort attached to the officers commanding the troops. He hoped that it would be understood not only by that House, but by the public generally, that the General officer commanding the brigade and the officers commanding the regiments in question did everything they ought to do to carry out the instructions which they had received. The fact was the Commissariat officers in London ought not to be attached to the War Office at all, but to the Horse Guards, exactly as were the Commissariat officers at Dublin, Portsmouth, and elsewhere. If that had been the case the Commissariat officer could have come to the Horse Guards and been instructed directly and promptly; but being attached to the War Office, it was impossible that the military authorities could have that frequent communication with him which might be necessary. He quite admitted it was proper that the Commissary General should be attached to the War Office, but the Deputy Commissary General in London ought, as he said, to be attached to the Horse Guards, and if that were done, it would be almost impossible to have a repetition of what had occurred in this instance.

The Earl of CARDIGAN said, he had never heard of troops being expected to carry their rations with them on the march, except under very extraordinary circumstances. Though the Deputy Commissary officer was to blame for what had occurred, and had been very properly removed from the London district, one thing struck him and it was this—if the officer commanding the brigade determined to march from Aldershot at an unusually early hour—and the earlier in the summer months the better—it would have been well that some Staff officer should have written a letter or some messenger have been sent to say such was his intention.

The Duke of CAMBRIDGE said, that an officer was sent by the General commanding, and when he arrived at Hounslow there was no Commissariat officer of any description there to whom he could apply, and the answer he got was to that effect.

The Earl of CARDIGAN agreed with the illustrious Duke that it was quite clear that the fault lay with the Commissariat officer.

Lord REDESDALE said, he did not wish to express any opinion of his own upon the subject, but he had been requested by Major-General Lord Henry Percy to state what he knew and felt with regard to the gentleman who had been so much blamed in this matter. Lord Henry Percy wrote to this effect—

"He served under me when I was organizing the Italian Legion (at the time of the Crimean war), and I can testify to his energy and efficiency under very difficult and unpleasant circumstances. If I were ordered upon any expedition, he is the man I should select to take with me."

METROPOLIS—THE LONDON WATER SUPPLY.—OBSERVATIONS.

Lord DE MAULEY rose to call the attention of the House to the expediency of supplying water to the metropolis from the superfluous water of the upper part of the Thames. The noble Lord was understood to say that he confined his observations altogether to the upper part of the Thames, because it appeared to him to be the natural store-house for the wants of the metropolis. That water-shed extended over 875 square miles, the supply it afforded was practically unlimited; the water was also of excellent quality. Under these circumstances, there was no excuse for the defective arrangements at present in force for supplying the inhabitants of London with that great necessary of life.

The Duke of RICHMOND said, that Her Majesty's Government had regarded the subject as of sufficient importance to issue a Royal Commission in the early part of the year, and he had the honour to preside over the Commission, which was composed of four gentlemen who were perfectly competent to enter into the inquiry. The Commission had sat from time to time since February, and had examined a great number of scientific witnesses, but had not yet been able to draw up a Report, as it had been necessary to wait for the analysis of certain water collected in different parts of England, in consequence of schemes to draw water to London from Wales and elsewhere. The question of procuring a supply from the upper waters of the Thames had not been lost sight of, and in course of time he hoped that, after digesting the voluminous evidence which had been offered, embracing a good deal of scientific testimony, the Commission would be able to embody their opinions in a unanimous Report upon this important subject.

NEW ZEALAND—WITHDRAWAL OF TROOPS.—ADDRESS FOR A RETURN.

The Earl of CARNARVON, in moving an Address for a Return of the Regiments in New Zealand since the 1st of January 1865, and the Dates of their Embarcation, said: I bring this subject forward with no intention of embarrassing the action of Her Majesty's Government in this matter. Personally, indeed, I should have preferred not to bring it forward; but the answer of the noble Duke the Secretary of State for the Colonies on a late occasion, and the unsatisfactory position of the question, induce me to trouble your Lordships in this matter. Your Lordships will remember that when my noble Friend (Lord Lyttelton) raised this question on a former occasion the noble Duke the Colonial Secretary urged him to postpone the matter on public grounds, and after some demur my noble Friend agreed to do so. I considered the whole matter very carefully, and I came to the conclusion, from my recollection of the transaction, that there must be some mistake, and that the public service could not be prejudiced by the discussion my noble Friend would have invited. Accordingly, a few nights afterwards I pressed the noble Duke for some reason why discussion should be postponed; and he replied that there were no more papers to be issued on the subject—which I think hardly applies to the question—and repeated that the Motion would be prejudicial. No one pays more regard to the plea of public convenience than I do, but I must be allowed to say that there is a broad difference between public inconvenience and inconvenience which apparently is rather personal to the Minister. In bringing forward this question I must ask the House first of all to remember the change which has of recent years taken place in our relations with the colony of New Zealand. It has been a very great one, and has amounted to the surrender of the control of the Home Government over the Native population and Native policy. That change dates further back than perhaps many are aware. It owes its origin to the New Zealand Constitution Act of 1852—an Act which, by-the-by, was premature and unfortunate in a good many provisions. Up to that time the Crown had exercised undisputed authority over the affairs of New Zealand. That Act substantially transferred the power over Native policy from the Governor, as the representative of the Crown, to the colonial authorities in New Zealand. I say it "substantially transferred the power," because there was still left a shadow of authority and of power, which, however, acted as a source of jealousy, irritation, and of difference, between the Governor on the one hand and the colonial authorities on the other. During the short time I was connected with the Colonial Office in 1859, like every one else, I became aware how difficult the Constitution was to work in this particular respect. But when the late Duke of Newcastle became Secretary of State, the then Governor of New Zealand, feeling this difficulty, wrote and recommended the formation of a Crown Council, to consist in part of representatives of the Crown and in part of representatives of the colony, with a view to strengthen the hands of the Crown in the management of Native affairs. The Duke of Newcastle fell in with that proposal, and he embodied the recommendation in a Bill which passed your Lordships' House, but which in the Commons was subsequently lost, upon grounds which were afterwards endorsed and re-affirmed very warmly by the colony. It seems after this to have been felt by the Duke of Newcastle that it was hopeless to expect support in this respect either from the House of Commons or from the colony. At the same time the position of affairs was a very inconvenient one, because, on the one hand, we were maintaining a large military force, and on the other the colonists were really directing our policy as regards the Natives—that is to say, the conditions of war or peace rested with the colonists, but it was incumbent upon us if war ensued to carry it on. As a matter of fact, war did ensue before very long; and Sir George Grey was, I think, almost immediately sent out as Governor. One of the first acts of Sir George Grey was to inform the Duke of Newcastle that he could not govern the colony in respect of Native affairs, except through the medium of his responsible advisers; and he even went further and said he had communicated that conclusion to his own local advisers. Unless Sir George Grey had been then and there disavowed it was obvious that he had committed this country and the Home Government to the surrender of our control over Native policy; but as a matter of fact the Duke of Newcastle acquiesced in Sir George Grey's proceeding, and in the completest terms. Perhaps it is worth while to quote the language of his despatch, dated May 26, 1862—

> "I am ready to sanction the important step you have taken in placing the management of the Natives under the control of the Assembly. I do so partly in reliance on your own capacity to perceive, and your desire to do, what is best for those in whose welfare I know you are so much interested. But I do it also because I cannot disguise from myself that the endeavour to keep the management of the Natives under the control of the Home Government has failed. It can only be mischievous to retain a shadow of responsibility when the beneficial exercise of power has become impossible."

He proceeds to say—what is very important with reference to what subsequently occurred—

> "I cannot hold out to you any hopes that a large military force will for any length of time be kept in New Zealand. It is for the colonists themselves to provide such a military police force as will protect their out-settlers. If it is not worth while to the colony to furnish such protection, it would seem to follow that it is not worth while to retain these out-settlements. You must therefore expect, though not an immediate, yet a speedy and considerable diminution of the force now employed."

So long as the war lasted, and a large number of troops remained in the colony, it was obvious that the Governor could, indirectly and morally, retain a certain voice in the management of affairs; but, by-and-by, it came to an end, and Mr. Cardwell succeeded to the Colonial Office. He adopted the policy of the Duke of Newcastle entirely, and he made in substance the following proposals to colonists: — First, that we should withdraw a large portion of our force; second, that we should leave a portion on the condition that it would be paid for by the colonists at the same rate as are paid by the Australian colonies and thirdly, that one regiment — namely, the 18th — should remain in the colony free of all charge to the colonists upon condition that they appropriated a sum of £50,000 a year for the benefit and improvement of the Native race. A portion of the troops were as a matter of fact withdrawn; the colonists declined to make the Australian capitation payment for the troops that remained, and the only point therefore which remained was the detention of the 18th Regiment in the colony. I am not aware that there is any serious difficulty on that point. At all events, it is a question of detail which might be adjusted. That was the position of affairs when I succeeded to the office of Secretary for the Colonies. I found a large body of troops still retained in New Zealand. I found that my predecessor had re-called those troops by positive orders, and I determined to insist upon their withdrawal with the least possible delay. I accordingly issued instructions to which I will presently refer. The despatch in which I issued them has been a good deal criticized and subjected to considerable misinterpretation. I may therefore be allowed to notice the principal points in respect of which it has been misunderstood. First, it is said I gave instructions that the 18th Regiment was to be kept under orders to embark at the earliest notice. I am at a loss to understand how that interpretation could by any one who attentively read the despatch, be placed upon my words; and I hope that I settle this part of the question by assuring your Lordships that it is a complete misunderstanding. I never had any intention to place them under orders to embark so long as the colonists should adhere to the condition of appropriating £50,000 a year for the improvement of the Native race. The second misunderstanding is that I am supposed to have said that the 18th Regiment must remain in New Zealand, not to be useful to the colony, but to be handy for removal elsewhere should its services be required. I am again at a loss to understand how any one reading my despatch carefully can suppose I ever said anything of the sort; and I have only on this point to assure the House that here there is altogether a misconception. In the third place, it was charged against me that I had directed that the 18th Regiment should be withdrawn from outpost duty and concentrated for garrison duty in the principal towns of the colony. I am bound to say that this charge is perfectly true; I did give these instructions, and I fully intended them to be carried out, and that every man in Her Majesty's service should be withdrawn from outpost duty, and concentrated in the principal centres of population. That was Mr. Cardwell's view as well as my own, and I think it was a right one; because from the moment you had really abandoned all control over Native policy it was right that the Crown should be released from the responsibility which had previously accompanied its rights; otherwise you would be in a false position. It seemed to me that in order to guard the frontier against semi-civilized races you needed not Her Majesty's troops, but such a police as you have at the Cape. I could not blind myself to the fact that the colony had entered upon a large policy of land confiscation. I do not want now to say anything for or against it; I only wish to observe there was that policy. If it was to be carried out it was clearly better it should be carried out by a force responsible to the Colonial Government, and not by Her Majesty's troops. I cannot think it was in any way a desirable service for regular troops to be employed in. Lastly, I ought to say I have always understood that it is injurious to military discipline that a regiment should be broken up into small detachments for these police duties. That is my answer to the third charge. But there is yet another charge which, may be said to include almost everything else. It is said that, failing to get these troops brought home by the ordinary methods, I took the extraordinary step of transferring the power over their disposition from Sir George Grey, the Governor, to the commanding officer, General Chute. Now, it is quite true that I did transfer that power knowingly, and after full reflection, I am quite aware that it was a serious and unusual course; but in my judgment, there was no alternative open to me; I felt that it was desirable, in the interests of this country, to recall these troops; I remembered the pledges which had been given to Parliament on this subject; I saw how useless every other effort to bring them home had been, and I think that, if I had not adopted the course I did, the troops would have remained in New Zealand up to the present time. If I were to go into all the propositions and counter-propositions, the various changes and details of this long transaction, I should be taxing too much the patience of the House, I will therefore, in general outline only, place before your Lordships the state of the case. In February, 1865, there were ten regiments stationed in New Zealand, a war having just ended in which two or three thousand natives had been in arms. Mr. Cardwell issued two sets of Orders for the recall of nine of these regiments; and if I read to your Lordships the dates of the Orders, and the dates of the embarcations of the different regiments, I shall best be able to show how these Instructions were carried out, and the position in which I personally was placed. The first Order issued by Mr. Cardwell was dated the 27th of February, and ought therefore to have been received by Sir George Grey about the end of April. Nevertheless, five months elapsed after the latter date before a single regiment was removed. At the expiration of that period one regiment—which, by the way was, I think, a weak battalion, only some 200 or 300 strong—was despatched from the colony. Three months more elapsed, and then, on the 2nd of January, 1866, another regiment was sent off. Then two months more passed over before another regiment was sent away. There were other delays—the first of one month and the second of two months—before the last of the regiments recalled under these Instructions sailed for England—that is to say, it took about fourteen months to bring home the five regiments ordered to be embarked under the first set of Instructions. The second set of Instructions may be said to date from the 26th of October and the 27th of November, 1865—for though different in details they agree substantially in the conclusions which they were intended to enforce—and they must have been received about the end of January, 1866. The purport of these Instructions was to send home four regiments and to leave one regiment in the colony upon certain conditions. Eight months, however, were allowed to pass away before a single man was despatched in pursuance of that Order. It was not till the 3rd of October, 1866, that the first regiment sailed. On the 15th of October a second regiment was despatched; but the third regiment did not sail till April, 1867. Thus, in fact, nearly fifteen months, after the receipt of the despatch in the colony, were occupied in carrying out the Instructions given by the Secretary of State. Indeed, those Instructions have never been fully carried out, for there remains one regiment in New Zealand in excess of what ought to have remained there. Under such circumstances I do not think that any one can say that I acted precipitately. It may, however, be fair to Sir George Grey to state that, in January last year, he wrote to the Secretary of State, stating that he had recommended General Chute to send home the troops at the rate of one regiment every two months. My answer however to that is that this proposal was unauthorized; and without the sanction of the Secretary of State; next, that that advice was given to General Chute on the ground of military expediency; but that General Chute—whose opinion on purely military matters, must necessarily be preferred—denied that there was any necessity for such a step. Therefore, I was in this position—I had before me repeated despatches from my predecessor, ordering the troops to be sent home; I saw that those Instructions had produced little visible effect, and that delays had arisen, first from one cause, and then from another; I saw that Sir George Grey was engaged in the same hopeless variances with General Chute as he had been with General Chute's predecessor, General Cameron; I perceived, on the other hand, that General Chute was anxious to obey the Instructions which he received from his military superiors. I had before me a letter written by General Chute to Sir George Grey, and printed in the last issue of Parliamentary Papers, complaining that he had already addressed three separate communications at considerable intervals of time to him with regard to the removal and disposition of certain troops, and had received no answer to any one of those communications. That letter was dated the 26th of July, and the House will find some difficulty in believing that Sir George Grey seems to have allowed nearly three months to elapse before he answered this letter. I had also before me repeated communications describing the affairs of the colony. I had, for instance, the following letter written by the Deputy Commissary General to the Secretary of the Treasury on the 8th of November, 1866:—

> "I would wish to draw particular attention to the actual state of affairs in the colony at this moment. 1st, Imperial troops are retained in the colony although no appropriation has been made by the colony for them; 2nd, a portion of the troops are actively engaged in an aggressive warfare at an increased expense to the Imperial treasury; 3rd, another and a large portion is still dispersed over the colony, defending lands confiscated from the rebels. No one can foresee an end to the petty desultory war now being waged in the colony, and it is alleged that it occasions a necessity for the employment of Imperial troops as described; but as colonial forces are not enrolled in numbers sufficient to replace Imperial troops, even in their present diminished numbers, it results that Imperial troops may possibly be retained in the colony contrary to orders for an indefinite time; and it is to be observed that the colony not only omits to contribute to the support of these troops, employed on colonial service, but calls upon the Imperial commissariat to ration the colonial forces. . . . All these orders notwithstanding, confiscated lands are still being protected in various parts of the colony by Imperial troops; the troops are not concentrated as directed, and the cost of inland transport is made to bear heavily upon the Imperial Treasury."

Now, I do not found my course of action upon this one letter, or upon any one single letter such as this. I had rather to take into account a variety of such communications and considerations, and knowing what I desired and believed to be necessary, to adopt such measures as were conformable to that opinion. And I must again remind the House that the colony was engaged in a large policy of land confiscation. Without saying whether such a policy was right or wrong, it was, at all events, a policy which was not unlikely to lead to disturbances, and I was apprehensive lest fresh difficulties, and perhaps a fresh outbreak, might occur which would result in an indefinite postponement of the withdrawal of the troops. Nor could I close my eyes to the fact that one Colonial Minister, if not more, had used very strong terms in favour of the reduction of the colonial forces. I have no fault to find with such language; but at the same time, it is perfectly obvious that that reduction of the colonial forces would proceed far more easily if Her Majesty's troops were maintained in the colony. Under these circumstances, I came to the decision which I have stated to the House, and withdrew the troops in the manner which I have described. I think I am justified by the result of that course of proceeding, for if your Lordships bear in mind the dates which I have mentioned, you will perceive that between October and April, about which time my despatch reached the colony, not one single soldier appears to have left, and it became necessary, in General Chute's opinion, to use the authority conferred upon him by my despatch, and to carry out the instructions previously given for the withdrawal of the troops. There is but one other point, which, being somewhat personal, I have reserved until now. About the time that I wrote the despatch in question my attention was called to paragraphs in the colonial papers detailing hostilities between the Natives and the colonists, and I remember that there was one case in particular in which it was stated that a whole Native village had been cut off, I think to a man, under circumstances which at the first blush were somewhat open to question. In writing to Sir George Grey on other subjects I alluded to this, and implied, in fact, a regret that I had not received any information from him on the subject. I went on to say that if at any time these affairs which had been described in the colony as brilliant successes by the colonists, were to be represented in this country as merciless and unwarrantable attacks upon unoffending persons, I had no means of reply or vindication at my command. As far as I remember, these were the very words I used. That expression has been very warmly commented upon by the responsible Ministers of Sir George Grey, and has been described as conveying an imputation upon them of an unjust character. It is fair to observe that a short time afterwards I stated in a subsequent despatch that I had received the desired information from Sir George Grey, and that I expressed my full satisfaction at the explanation which he tendered. At the same time, I have always felt that whenever either in public or private life anyone casts an imputation upon another unjustly, he is bound, in common fairness, to admit the error into which he has fallen. I therefore admit my error in this instance, and readily express my regret, because I think now that the words in question were not unreasonably open to complaint on the part of the Colonial Ministers. I have some excuse, perhaps, in the fact that those newspaper paragraphs were worded in a way especially calculated to excite alarm; I had been unable for some time previously to obtain official information upon several other subjects besides this, and it is possible that I permitted my anxiety in one case—my just and well-founded anxiety as I must maintain—to colour my judgment in another case, and to lead me to make use of expressions which I should not have used had I been in full possession of the facts. Certainly, nothing was further from my intention than to give cause of offence, for I hold that while the Secretary of State is the guardian of Imperial interests, and is bound for the sake of those interests to say and do many things which are personally distasteful to him, yet it is his duty to abstain from any word or expression which can needlessly cause irritation or ill-will between the colonists and the mother country. I have to thank your Lordships for the patience with which you have listened to my remarks upon a somewhat dry subject; I have endeavoured accurately to describe the position of affairs; I am confident that I have said nothing which can in any way embarrass the action of the Government; and after what has passed I hope to receive from the noble Duke at the head of the Colonial Office some rather clearer and fuller information than we have yet had with regard to the views of Her Majesty's Ministers upon the subject to which I have drawn attention.

Moved, That an humble Address be presented to Her Majesty, for a Return of the Regiments in New Zealand since the 1st January, 1865, and the Dates of their Embarkation.—(*The Earl of Carnarvon.*)

THE DUKE OF BUCKINGHAM: My Lords—I thought it better to pause for a moment, because I rather expected some other noble Lord would speak upon the subject before I replied. The noble Earl (the Earl of Carnarvon) asks for some clear expression of opinion on my part with regard to the views of the Government on the removal of troops from New Zealand. What I have to say on that point is very little. Her Majesty's Government is carrying out the policy which has been repeatedly laid down by successive Secretaries of State during the last four or five years, and which provides for the withdrawal of the troops from New Zealand with certain exceptions. Those exceptions were made in conformity with the policy of the Imperial Government respecting the Native force and the land question. When the noble Earl lately held the position of Secretary of State for the Colonies Her Majesty's Government issued further instructions for the withdrawal of those troops—for there is no doubt that their journey homeward had been much delayed from various causes. The despatch written by the noble Earl last December contained the same exception as was made by his predecessor—namely, that one regiment was not to be withdrawn while the New Zealand Government continued to appropriate the sum of £50,000 a year towards certain objects. That despatch has reached New Zealand, and one communication has been received with respect to it; but no opinion upon the subject has been received from the Governor, and consequently no further action has or could have been taken upon the matter—the question therefore remains where it was left by the despatch of the noble Earl. With regard to the causes of delay in removing the troops, I may say that they have probably been added to by the unfortunate differences of opinion which have arisen between the Colonial Government and the military authorities, and the difficulties in the way of corresponding with so distant a colony as New Zealand. I may say, however, that the troops in New Zealand had, by the last Returns, been reduced to two regiments — one beyond the regiment which was to be left in accordance with the exception made by Mr. Cardwell—and probably by this time all except that one regiment have left the colony. What will be done in the future, of course, much depends upon the replies we look for from the colonists; but there is no reason to expect that any departure from the arrangements made by Mr. Cardwell will be thought necessary by us, or be asked for on the part of the colonists. I confess, it seems to me a misfortune, that, after the colony had taken upon itself the conduct of Native affairs, and the Imperial troops had been ordered to be withdrawn, they were not withdrawn at an earlier period. With regard to the opening remarks of the noble Earl I may say that when I asked the noble Lord (Lord Lyttelton) to postpone his Motion I did so because I thought it unwise to enter upon the discussion of a subject with respect to which we were expecting further and important information; and I still think it inexpedient that discussion should take place upon that matter upon a basis which must to a great extent be hypothetical. With regard to the Returns moved for, there certainly can be no objection to granting them.

Earl DE GREY said, he was astonished to hear the noble Duke, the Colonial Secretary, express surprise that none of their Lordships had followed his noble Friend (the Earl of Carnarvon), because it was usual when a question was asked of a responsible Minister of the Crown that he should reply before any further remarks were made; but after hearing what the noble Duke had to say he was no longer surprised, for the noble Duke had spoken briefly and added nothing to their information, except indeed, that he had thrown some doubt upon the question as to whether the Government intended to carry out the policy of his noble Friend (the Earl of Carnarvon) to its legitimate conclusion—namely, the withdrawal of all the troops in New Zealand, with the exception of the single regiment. No doubt it was proper to give the Governor of New Zealand an opportunity of expressing his views upon the policy of the noble Earl; but the intention to withdraw the troops was not a policy initiated by the noble Earl in the despatch of the 1st of December; it dated from several years back, and was the necessary corollary of the policy which had been adopted — that the Imperial troops should not be left in New Zealand to be used by the Colonial Government for purposes over which we had no longer any control. He expected that we should have had some definite and distinct declaration of the views of the Government on this simple though important question. The noble Duke, however, said it would hereafter be a subject for consideration as to what should be the number of troops to be left in the colony.

The Duke of BUCKINGHAM said, that he spoke of the course to be pursued with regard to the one regiment left in accordance with the exception made by Mr. Cardwell.

The Earl of CARNARVON said, he understood the noble Duke to say that the Government would consider what steps should be taken with regard to the regiment which remained in excess of Mr. Cardwell's exception.

The Duke of Buckingham

The Duke of BUCKINGHAM repeated, that he doubted only as to what would be done with the one excepted regiment.

Earl DE GREY said, that if that was the intention of the Government he fully approved of it, and he hoped they would adhere to the policy of the noble Earl and of his predecessor (Mr. Cardwell), and would take whatever measures might be necessary to insure the return at the earliest period of all the troops in New Zealand in excess of the single regiment which under certain conditions was to remain there. In writing the despatch of the 1st of December, the noble Earl, no doubt, took a strong and unusual course; but he thought the circumstances justified his doing so. It was in February, 1865, or more than two years ago, that Mr. Cardwell directed the regiments to be sent back, and he only allowed the detention of any of them on condition of payment being made for them at the same rate as was paid by the Australian Colonies. New Zealand had not, however, as far as he was aware paid a single shilling, and, first on one pretext, and then on another, the troops had been detained by the Governor, notwithstanding reiterated orders from home. In this state of affairs it was necessary, if the authority of the Imperial Government was to be maintained at all, that strong measures should be taken, and he was not sure that it would not have been better if the noble Earl had at once recalled both the Governor and the troops. He trusted that the Government would not deviate from the policy they had indicated, which had received the sanction of both Houses of Parliament. He was not one who desired the disruption of the ties between the mother country and the colonies, for he believed the connection was advantageous to both; but if Colonial authorities were allowed to employ our troops and spend our money in order to relieve themselves from the consequences of their own policy, complications would certainly arise in our relations with them which would probably result in disruption. It was evident that Sir George Grey had not shown that readiness to obey the instructions of the Home Government which his position demanded of him, and he should not have been surprised if the noble Earl had thought it right to take the stronger step as regarded him to which he had referred. In conclusion, he desired to thank the noble Earl for his despatch in regard to the step taken concerning the memorandum of the Ministry in which reflections were thrown on the conduct of the British troops. It was certainly a singular proceeding on the part of the Governor, who was the Queen's representative in the colony, to forward this memorandum without a word of comment or regret; and that it thus should have been left to the noble Earl to vindicate, as he had done so ably, the character and conduct of our soldiers. He hoped the Government would shrink from no measure which was necessary to carry out the only policy which would be acceptable to this country, and the only policy on which, under present circumstances, satisfactory relations between us and our colonies could be based.

LORD LYTTELTON entirely approved the determination to withdraw our troops, which successive Colonial Secretaries had endeavoured, hitherto ineffectually, to carry out. It was necessary, no doubt, to employ the services of our troops in the colonies, but there was a great difference between the case of the Cape and that of New Zealand ; for colonists whose frontier was menaced by enemies who far outnumbered them might have some claim on the mother country for their defence. He could not see that New Zealand had any such claim ; it was a colony founded by a private company of speculators for commercial purposes ; the colonists knew very well what they were about and were nearly, if not quite as numerous as the natives, and if troops were to be kept there at all the colonists were bound to bear the expense. He desired to express his opinion, which was a very strong one, with respect to the ousting of the Governor from a portion of his authority. The fact was, nothing else could be done. They all recollected when a Constitution was devised for New Zealand, and the Secretary for the Colonies sent it out to Sir George Grey to put it into operation, the Governor instead of doing so, put it into a box and sent it back, saying that he would have nothing to do with it. Ever since that distinguished person had enjoyed a sort of chartered liberty. If they were to give the colony a long day, and having fixed the time, say that at the end of that time they certainly would throw the colonists absolutely upon their own resources, it would in his opinion be the best and wisest policy that could be adopted.

THE DUKE OF CAMBRIDGE said, it was not his intention to say a word with respect to the policy adopted by the Secretary of State, but he wished to express a strong opinion as to the impolicy of making the military independent of the civil authorities. Their Lordships might rely upon it that no more dangerous step could be taken —and for this reason—that the military authorities must and ought to be subordinate to the civil. In order to effect that object every Governor was made Commander in Chief, and if they were to take away his power in that respect they would do an act which would be fatal to the position of the Governor, detrimental to the Imperial interests, and extremely embarrassing and inconvenient both to the officers and troops. Under these circumstances, he could not but express his conviction that the time had arrived when a strong policy must be adopted. He knew the difficulties which successive Governments had felt in dealing with the colony of New Zealand, but the taking away of the troops was a step which he would rather not have seen adopted. He hoped that what had been done in this case would not be turned into a precedent, because otherwise it would be impossible that the civil and military authorities could work harmoniously and cordially together. On the contrary, the utmost distrust would be produced between them. It was most important in a constitutional State that the General should understand that it was his duty to be subject to the sway and control of the civil authorities ; because these authorities were really responsible either to the Crown or to the Governor of the colony, who was exercising the authority of the Crown. He desired to say a word with respect to another question. He happened to be absent when the last discussion was brought on, but he must be permitted to say that he took great exception to the remarks of the noble Earl with regard to the Cape colony. In the Cape Imperial interests were at stake, and therefore it would be impossible to throw upon the Cape colonists the responsibility of maintaining the whole of the troops which might be stationed there. It was quite true that at present we were making the utmost efforts for the transmission of the troops to India through Egypt. But it was only in a time of profound tranquillity and peace that the route by Egypt was secure, the route by the Cape would, therefore, be required to be retained. To say, then, that there were no Imperial interests which required the maintenance of the authority of the Crown at the Cape by retaining a considerable body of troops in that colony was a statement from which he must express his dissent. He contended that we had great Imperial interests at stake, such interests as would make it necessary that the mother country should retain a garrison there. Our commercial interests connected with the route round the Cape were also of the highest importance. Any charges which might not be connected with the requirements he had pointed out, they might leave to the colonists to defray, but there must be a large proportion of the military expenditure at the Cape which it would be most unfair to call upon the colonists to bear.

Motion *agreed to.*

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, July 15, 1867.

MINUTES.]—Supply—*considered in Committee —Resolutions* [July 12] *reported.*

Public Bills—*Resolution in Committee*—Customs Duties (Isle of Man).

Ordered—Customs Duties (Isle of Man)*; Dundee Provisional Orders Confirmation.*

First Reading—Customs Duties (Isle of Man)* [253]; Court of Appeal Chancery (Despatch of Business)* [254]; War Department Stores* [255]; Consecration and Ordination Fees* [256]; Dundee Provisional Orders Confirmation* [257].

Second Reading—District Lunatic Asylums Officers (Ireland)* [242]; Justices of the Peace Disqualification Removal* [245]; Guarantee of Government Officers* [223].

Committee—Public Health (Scotland)* (*re-comm.*) [179]; Admiralty Court (Ireland)* [209] [r.p.]; Dogs Regulation (Ireland) Act (1865) Amendment* [184]; Railway and Joint Stock Companies' Accounts* [188]; Carriers Act Amendment [243], *negatived.*

Report—Public Health (Scotland)* (*re-comm.*) [179 & 251]; Dogs Regulation (Ireland) Act (1865) Amendment* [184]; Railway and Joint Stock Companies' Accounts* [188 & 252].

Considered as amended—Judges' Chambers (Despatch of Business* [154]; Courts of Law Officers (Ireland)* [248].

Third Reading—Representation of the People [237]; Turnpike Trusts Arrangements* [233].

Withdrawn—Education of the Poor* [111]; Common Law Courts (Ireland)* [48]; Execution of Deeds* (*re-comm.*) [138].

RUMOURED ABYSSINIAN EXPEDITION.

QUESTION.

Colonel SYKES said, he wished to ask the Secretary of State for India, Whether there is any, and what foundation for a rumour circulating in Bombay that troops have been told off for an expedition into Abyssinia?

Sir STAFFORD NORTHCOTE said, in reply, that there was no truth in the rumour to which the hon. and gallant Gentleman referred. No troops had been told off for an expedition to Abyssinia; but the Government were engaged in a correspondence which they hoped might lead to the release of the British subjects now detained in that country. No measures of force to accomplish that object were, however, at present contemplated. It was true that he had addressed private communications to his right hon. Friend the Governor of Bombay requesting him confidentially to inform him what could be done in the event of any measure of force being resorted to; but no such instructions as the Question implied had been sent out to Bombay, and the correspondence had been of a most private character.

TELEGRAPHIC COMMUNICATION.

QUESTION.

Mr. CHILDERS said, he wished to ask Mr. Chancellor of the Exchequer Whether Her Majesty's Government have yet arrived at any conclusion on the question of establishing a system of telegraphic communication throughout the kingdom, in connection with the Post Office or otherwise, under public superintendence?

The CHANCELLOR of the EXCHEQUER said, in reply, that the matter was still under the consideration of the Treasury.

NAVY—CONTRACT FOR GUNBOATS.

QUESTION.

Mr. SEELY said, he wished to ask the First Lord of the Admiralty, Whether the statement is correct which appeared a short time since in the *Glasgow Morning Journal* that the Admiralty had contracted with eight different firms to build a gunboat each, at prices varying from £20 to £29 per ton; and, if so, what were the reasons which induced them to pay 45 per cent higher in one case than another?

Mr. CORRY said, that there was a great peculiarity in the case of the tenders for these gunboats. The hon. Gentleman had often referred to the market price at which various articles could be obtained by contract; but in this case the tenders had varied from £20 to £30 18*s.* 4*d.* per ton. It was perfectly well known in the Department of the Comptroller of the

Navy, that it would be impossible to build these gunboats at anything like £20 per ton, and, therefore, the parties making the tenders at that and at other low prices were asked if they perfectly understood the specifications. The answer the Admiralty received was in the affirmative. Under these circumstances the contracts were given to the eight builders making the lowest offers, varying from £20 to £29. Only one firm tendered at £20 per ton, and it would have been very injudicious to contract for the whole of the gunboats at so low a price with one firm. It was well known that some contractors were willing to build at a loss; because it was notorious that foreign Governments objected to have vessels built by firms who had not built for the Admiralty. The highest tender accepted was £29, which was not considered more than a fair and reasonable price.

THE WHORTLEBERRY CASE.

QUESTION.

MR. P. A. TAYLOR said, he wished to ask the Secretary of State for the Home Department, Whether his attention has been called to a Letter published in the Newspapers, in which it is stated that six persons of good previous character have been sentenced to three weeks' imprisonment by a Cornish Magistrate for trespassing off a public path through a copse and taking whortleberries?

MR. GATHORNE HARDY said, in reply, that the case had not come under his cognizance. Since he entered the House, however, he had been informed that his hon. Friend the Member for West Cornwall, who was well acquainted with all the circumstances of the case, had expressed a desire to answer the Question.

MR. KENDALL said, that the owner of the property on which the trespass to which the Question related occurred was Sir C. Rashleigh, his son-in-law, and that he had received in reference to the matter the following letter from the magistrate by whom the persons charged with the trespass had been committed:—

"My dear Kendall—I see Mr. Taylor has given notice to ask a question of the Home Secretary regarding six persons committed by me for three weeks for trespassing and destroying the underwood in Prideaux Wood. The facts are as follows:—Parties have constantly been brought before our bench for trespass and damage in Prideaux and Tregeehan Woods; we have generally fined the parties so brought before us, hoping that leniency would have the desired effect. A day or two before these persons were found the keeper met a party, who, on being spoken to, defied him in most violent language. He did not know the parties, so could not apply for summonses. A day or two afterwards Battie fell in with this party. He applied to me for summonses. When the parties were brought before me they all pleaded guilty, and I sent them to Bodmin for three weeks, in hope that this punishment may have the effect of stopping others, which fining has not done. There was no question about 'whortleberries.' The summonses were granted, and the conviction made under the 24 & 25 *Vict.*, c. 97.—Yours very truly,

"JOHN W. PEARD."

The House would therefore see that the case had nothing at all to do with whortleberries, and he was assured that was the fact by the owner of the property himself, whom he had seen in town that morning. A portion, he might add, of Sir C. Rashleigh's income was derived from letting part of a large coppice wood every year. The bark of the trees and the young oak shoots in the wood were, it appeared, seriously damaged by trespassers, who had over and over again been summoned for the offence. His son-in-law, who was one of the kindest-hearted men in the world, had himself paid the fines inflicted on some poor people last year; but it was then distinctly intimated from the bench that confinement would be the result of a similar offence if it again occurred. One of the parties who had rented the coppice wood had informed Sir C. Rashleigh that there was no use in taking it, so great was the damage done by persons trespassing upon it. Under these circumstances, he felt assured that the House would be of opinion that nothing like undue harshness had been exhibited in the course of those proceedings.

ARMY—MEDICAL OFFICERS OF THE GUARDS.—QUESTION.

MR. O'BEIRNE said, he wished to ask the Secretary of State for War, Whether any, and, if any, what compensation has been given or offered to those Medical Officers of the Brigade of Guards whose prospects of promotion were interfered with by the Warrant signed in 1860, but which Warrant was not promulgated until 1866?

SIR JOHN PAKINGTON said, in reply, that he was not aware that the Government had received any application for compensation, or that there was any ground for giving compensation to those officers. A new regulation had recently been made with regard to the promotion of medical officers, and he had no reason to think that regulation was in any way unsatisfactory.

INDIA—THE ORISSA FAMINE.

QUESTION.

Mr. HENRY SEYMOUR said, he wished to ask the Secretary of State for India, If he has written a Despatch reviewing the circumstances of the Orissa famine; and, if he will lay it upon the table of the House as soon as it has been prepared; and, as the further Correspondence on the Orissa famine will take three weeks printing, if he could make a selection of the Papers which could be printed in the course of next week?

Sir STAFFORD NORTHCOTE said, in reply, that he had been in communication with the printer, and he believed that all the most important part of the Correspondence could be in the hands of Members on Monday next. He was desirous as quickly as possible to send out a despatch to India reviewing the Commissioner's Report, because he was aware that it was a matter on which considerable anxiety was felt in India; but those who had looked at the blue books, which formed only a small portion of the voluminous matter he had had had to examine, upon a matter so gravely affecting the personal character of many most distinguished officers at a great distance, would recognize the necessity for a careful examination and consideration of the evidence before any despatch was sent out. He was preparing a despatch on the subject, and hoped to be able, with the consent of the Council, to lay a copy of it on the table in the course of next week.

ARMY—KNIGHTSBRIDGE BARRACKS.

QUESTION.

Mr. LOWE said, he wished to ask the Secretary of State for War, If he will state his intentions with regard to the removal or re-building of Knightsbridge Barracks; and, in the event of their intentions not being yet matured, if he will consent to defer any decisive step in the direction of re-building until the next Session, in order that this House may have an opportunity of expressing its opinion on a question so important to the convenience and beauty of Hyde Park and the West End of London?

Sir JOHN PAKINGTON said, in reply, that he was not able to state his intentions more fully than he had done already to a deputation which waited upon him on the subject. He then stated that the Government were in no way pledged on the Question, which was entirely open for consideration. There were three points for the Government to consider—first, the wishes and convenience of the residents of the neighbourhood; secondly, the necessity of providing a situation convenient in point of locality for the Household troops; and thirdly, the amount of expenditure which would be involved in any change. These questions would receive due attention from the Government, but he must decline at present to enter into any engagement that he would not come to any decision on the Question before the next Session of Parliament, and he had less hesitation in saying so because it would not be possible for the Government to carry out any plan without applying to the House for a Vote of money to defray the necessary expense.

THE DOG DUTY.—QUESTION.

Sir ANDREW AGNEW said, he wished to ask the Secretary to the Treasury, Whether the collection of the Duty on Dogs by the Excise Department has been satisfactorily performed; and, whether he contemplates taking any steps to ensure the destruction of unclaimed dogs going at large, to the danger and annoyance of the public?

Mr. HUNT said, in reply, that it was impossible at present to say whether the collection of the Dog Duty by the Excise had worked satisfactorily according to the terms of the Question; for that depended upon whether all the dogs liable to duty were brought into charge, and it was too early for this to be ascertained. He might state, however, that licences for 695,624 dogs had been taken out up to the 30th of June, as against 394,837 brought into charge in the year ending the 31st of March 1866. In Scotland licences had been taken out for 80,060 as against 36,365 dogs charged in the year ending the 31st of March, 1866, under the Assessed Tax Acts. It had been the intention of the Government to bring in a Bill to make regulations with regard to dogs running about the streets without their owners; but the state of public business had made it impossible to do so with any chance of its being passed.

ARMY—THE SNIDER RIFLE.

QUESTION.

MAJOR WALKER said, he wished to ask the Secretary of State for War, Whether he anticipates being able to supply the Snider Rifle to the Militia of the United Kingdom prior to the training of 1868; and whether, in the event of the recommendation of his Royal Highness the Commander in Chief, to the effect that the English and Irish Militia Regiments should next year be brigaded at Aldershot, Shorncliffe, and the Curragh, being carried out, any steps will be taken to secure corresponding facilities for instruction to the Militia of Scotland?

SIR JOHN PAKINGTON said, in reply, that he did not think that in the present state of the supplies of the Snider arms there was any chance that the Militia regiments could be furnished with them so soon as the hon. and gallant Member appeared to desire; and with respect to the second part of the Question all he could say was that he should be very sorry if any arrangements should be made, under which the Scotch regiments would not have the same advantages as the regiments belonging to other parts of the United Kingdom.

MUSEUM OF IRISH INDUSTRY.

QUESTION.

MR. GREGORY said, he wished to ask the Vice President of the Council, Whether the new arrangements of the Museum of Irish Industry are concluded, and what is the nature of those arrangements, so far as they relate to the government of that institution?

LORD ROBERT MONTAGU said, in reply, that the arrangements were those which were recommended by Lord Rosse's Commission (the Report of which Commission was approved of by the Lord Lieutenant and by the Treasury), with this exception—that Sir Robert Kane had been appointed permanent Dean of Faculty instead of being a Chairman in rotation, as recommended.

METROPOLIS—HYDE PARK.—QUESTION.

MR. ALDERMAN LUSK said, he wished to ask the First Commissioner of Works, Whether the large Wooden Erection in Hyde Park is being taken down by his orders; and if he will state the cost of this erection and its removal; and further, if he will inform the House from what Fund, voted by Parliament, the cost will be defrayed?

LORD JOHN MANNERS said, in reply, that the gallery had been removed by his orders in consequence of a communication from the Horse Guards. The probable cost of its erection and removal would be £2,180, and that would be defrayed out of the vote for Civil Contingencies.

THE RAILWAY ACCIDENT AT WARRINGTON.—NOTICE.

MR. O'BEIRNE gave Notice that on Thursday next he should ask the Vice President of the Board of Trade, Whether his attention had been called to Colonel Yolland's Report relating to the late accident at Warrington; and whether there was not evidence to show that if the recommendations of Captain Tyler's Report in the case of a somewhat similar accident in July last had been adopted the last accident might not have been prevented? He should also ask whether it was true that improvements could only be insisted upon by the Board of Trade in the case of new lines; and, if so, whether it was intended to propose any alteration in that respect?

THE VOLUNTEER REVIEW.

QUESTION.

LORD ELCHO said, he would venture to remind Her Majesty's Government that on Saturday next the Annual Volunteer Review was to take place at Wimbledon, and that the Sultan had intimated his intention of being present. The Commander-in-Chief had also intimated his intention of sending down the Household brigade and other troops. Under these circumstances, he wished to ask the Chancellor of the Exchequer, Whether, in order to enable Volunteers to attend in strong force, he would be disposed to give a half-holyday on the occasion to those who belonged to the different departments of the Civil Service?

THE CHANCELLOR OF THE EXCHEQUER said, he did not know what the extent of his influence might be, but as he understood that it was impossible, under ordinary circumstances, for Volunteers to appear in considerable force at an hour when his Imperial Majesty could conveniently be present, he was very much in favour of an arrangement being made which would enable them to attend. He would consult those who had influence in these matters, and see if he could not meet the wishes of the noble Lord.

THE NAVAL REVIEW.

OBSERVATIONS.

Colonel KNOX said, he wished to call attention to a matter affecting the Privileges of Members. It would be recollected that it was stated the other night that on the occasion of the naval review a ship would be allotted to the Members of each House of Parliament, and that every Member would have one ticket at whatever time he might make the application for it. However, on making an application for a ticket he had been refused, in consequence, as he had been informed through the courtesy of the Speaker's secretary, of orders from the Secretary to the Admiralty, stating that only 450 tickets would be issued. He understood that the vessel appointed for the accommodation of the House of Commons was the Peninsular and Oriental steamship *Ripon,* which carried out a battalion of Guards to Malta, 1,000 strong, besides a contingent of Artillery and commissariat stores; he therefore thought there could be no doubt of there being accommodation for a much larger number than 450 Members of the House of Commons. When he applied for his ticket he was told he had not applied in time. He understood that every Member who applied for a ticket could obtain one; but it now appeared that the Admiralty had drawn an arbitrary line, and the whole arrangement appeared to him to have been most objectionable. If the Members for whom accommodation was provided were restricted to 450, what was to become of the officers of the House? He understood the practice had been for Members to inquire among their friends who did not want tickets, and to have the names of such put down, so as to draw tickets for them. The consequence would be that not more than perhaps 150 Members would be present, and the complement would be made up of they did not know who. He thought there was great hardship in this case. He had postponed applying for his ticket, but on the faith of what had been stated in the House he had a right to suppose that whenever Members sent for their ticket they would receive it. He wished to know what explanation of this affair could be offered by the noble Lord the Secretary for the Admiralty?

Mr. SPEAKER said, this is not a question of Parliamentary Privilege, but, as it relates to the convenience of Members, I have no doubt the Secretary to the Admiralty, who has had these arrangements to make, will be able to explain. With regard to the particular vessel employed, and so forth, if it be necessary for my part to add anything, I shall be happy to do so; but I must at once say I have never seen a greater desire to provide for the accommodation of Members than appeared to me to be exercised by the noble Lord.

Colonel KNOX said, I will to-morrow repeat my Questions if the noble Lord is not able to answer them now.

Lord HENRY LENNOX: What Questions?

Colonel KNOX: What accommodation the *Ripon* can give, and how it has been disposed of?

Lord HENRY LENNOX: I shall be delighted to answer any Questions that may be put by my hon. and gallant Friend, but the Parliamentary usage is that the First Lord of the Admiralty should answer Questions if he is present in the House.

Mr. CORRY said, my hon. and gallant Friend has not quite accurately represented my answer on the occasion to which he has referred. What I stated was that two vessels would be provided — one for the House of Lords, and one for the House of Commons. That the House of Lords should have 400 tickets, and the House of Commons 450. A notice was placed on the door of the House — in fact on both doors, and all about the House, and Members could have used their eyes to very little purpose if they had not seen it—that no tickets would be issued after the 8th of July. This was not an arbitrary rule; there was a substantial reason for it—namely, to enable the Admiralty to make arrangements with the railway companies, which they could not do without knowing for what number of passengers it would be necessary to provide; and I am sure no one acquainted with the difficulty of making such arrangements would find fault with us on that account. It was with a view to accommodate the House of Commons that we arranged that no application for tickets should be made after the 8th of July. By the 8th of July, I forget the exact number of tickets issued, but I believe only 230 applications had been made; and therefore we were anxious to make what arrangements we could to give accommodation to the ladies belonging to the families of hon. Members. We therefore stated that, as only 230 tickets had been applied for, any Member who chose to apply for an additional ticket might have it, until the limit of 450 was reached. After the 8th of July the interest in the review seems to have increased, and applications for tickets came in in great numbers. Already 500 have been issued; 450 for the *Ripon* and fifty for the *China*; and that is precisely the number issued for the naval review in 1856, when 500 Members were present, but ladies were not then admitted; so that the House will see that the present Board of Admiralty have been more gallant than the former Board. My hon. and gallant Friend says it is very absurd to suppose that the *Ripon* having carried 1,000 soldiers to Malta has not accommodation for more than 450 Members; but soldiers do not remain on deck all the time they are at sea. The greater portion of them are usually below; and hon. Members would not like to be packed on deck like sheep in a pen: 450 is the largest number the *Ripon* will accommodate with convenience.

MR. OSBORNE: I wish to put an equally important question to the First Lord of the Admiralty—whether arrangements have been made that the same fate shall not befall the Members of the House of Commons as befell the troops the other day at Hounslow?

MR. CORRY: Of course, I cannot be responsible for any accident happening to the machinery.

MR. OSBORNE: My question referred to victuals.

MR. CORRY: I beg my hon. Friend's pardon. Luncheon will be provided, and an ample supply of sherry, beer, and brandy.

BUSINESS OF THE HOUSE.

QUESTIONS.

MR. BRUCE wished to know, What night it was intended to take the Factories Education Bill; or whether a Morning Sitting would be fixed for its discussion?

THE CHANCELLOR OF THE EXCHEQUER said, it may be convenient for the House to know something generally of the course of public business. Of course, it is our desire to combine if possible the convenience of Members on both sides of the House with its due progress; but it is very difficult this week to state definitely what is the best course to follow, and I would rather ask the advice of the House on the subject. I will offer my suggestions as to the best course to be taken, and to-morrow hon. Members may be ready to give their opinions on the subject. To-morrow I do not propose any Morning Sitting; but whatever may occur to-night, whether the debate be adjourned or not, we shall meet at four o'clock to-morrow and the Sitting will, of course, be appropriated to the Motions of hon. Members. From what I hear, it might be convenient for the House to adjourn over Wednesday. I believe there will be no great difficulty on that head; but I have great difficulty about Thursday and Friday, and I will suggest to the House what I think on the whole will be most convenient to Members, and, at the same time, not arrest the progress of business. I can understand and entirely appreciate the desire on the part of hon. Members to be present at those festivities which are to be given in honour of His Imperial Majesty the Sultan, a desire—I would say an unaffected desire—to evince their respect to that Sovereign. But we must remember it is very late in the Session, and that we have yet a great deal of business to do; and what I would propose is this, that on Thursday and Friday we should have a Morning Sitting at the old hours from twelve to six, when the House should adjourn. In that case, if the House should approve this suggestion, I should propose on Thursday to take Supply. On Friday, Supply will, of course, be on the Paper, and hon. Gentlemen who have Notices will have the opportunity of bringing them on. On Monday I propose to move the second reading of the Scotch Reform Bill, and on the following Tuesday I should propose a Morning Sitting at twelve o'clock, when the hon. Member for Galway will have the opportunity of bringing forward the *Tornado* Question. That case would probably not occupy the whole morning, and after that I would propose to take the Artizans' Dwellings Bill. Of course, the House will also sit in the evening. When this week is over it will be more convenient to say what arrangements can be made as to the further course of public business.

MR. GLADSTONE: I beg to ask the right hon. Gentleman, Whether he could upon an early day give information to the House as to those Bills which it is the intention of the Government to proceed with; because there is a much larger number of Bills of importance than it is possible to get through? It would be a very great advantage to Members and to parties interested if that information were to be given.

The CHANCELLOR of the EXCHEQUER said, he would rather postpone answering the Question until Monday next, when he would be prepared to answer with regard to all the Bills now before the House.

Mr. CRAWFORD said, he wished to ask, What Votes in Supply the Government proposed to take on Thursday next?

Mr. HUNT said, that in consequence of the promise made on Friday evening the Government proposed to put the Vote for the Regium Donum first for Thursday, after which Classes 1, 4, and 5, would be taken.

Mr. CRAWFORD said, he wished to know, Whether those Votes would include the Packet Service?

Mr. HUNT said, they would not.

Sir ROUNDELL PALMER said, he wished to know, Whether it was the intention of the Government to proceed with those Bills relating to the appointment of the Judges of the Probate and Admiralty Court, and, if so, when it was proposed they should be taken?

The CHANCELLOR of the EXCHEQUER said, that it was the intention of the Government to proceed with those Bills; but when they would be taken it was impossible for him to say until after the present week.

Captain HAYTER said, he wished to know, Whether it was the intention of the right hon. Gentleman to proceed with the Army and Militia Reserve Bills that night?

Sir JOHN PAKINGTON said, that he did not intend to proceed with the Bills that night, but he hoped to bring them on on Monday next.

ARMY—MARCH OF TROOPS TO HOUNSLOW.

PERSONAL EXPLANATION.

Sir JOHN PAKINGTON: Mr. Speaker, I wish to ask your permission, and the indulgence of the House, in order to offer a few words of personal explanation with regard to an answer I gave in this House on Thursday last to a Question put to me by a noble Lord behind me, with respect to the failure of the Commissariat to supply the troops coming up from Aldershot to Hounslow with rations and forage. Upon that occasion I made use of this expression—

> "I am also bound to say that the officers connected with this brigade were not altogether free from something like want of care. The General commanding the brigade decided upon marching at a very unusual hour; and I believe the officers commanding the regiments of which the brigade consisted might have received some portion of the provision which they required if they had taken care to apply for it."

This is an incorrect statement, and I wish to explain to the House the authority upon which I made it. When what occurred at Hounslow came to my knowledge, it became my duty to require the Commissary General-in-Chief to make a Report to me upon the case, he being the officer whose duty it is to supply me with information upon such subjects, and upon whose statement the House will see that I was not only entitled but it was my duty to rely. I hold in my hand the Report made to me by the Commissary General-in-Chief, which contains the following passage:—

> "As regards the 3rd July the time for marching was not fixed by general orders, but was left to Major-General Hodge, who determined on the unusual hour of two a. m., without notice to the Commissariat at Aldershot or in London."

I hope that the House will agree with me that, with this official statement before me, without desiring to throw any undue blame on any one particular party, I should not have been acting with justice had I passed over this official statement, throwing, as it does, some blame upon the officer commanding the cavalry regiment. That statement was, however, altogether untrue. No sooner had that statement appeared in the newspapers, than it attracted the attention of the officers commanding the troops in question, and Major-General Hodge very properly made a communication to the Horse Guards complaining of the inaccuracy of this statement, and informing that Department that instead of starting at two o'clock in the morning he had marched the first regiment at six, the second at half-past six, the third at seven, and the fourth at either half-past seven or eight o'clock. Under these circumstances I called upon the Commissary General-in-Chief to explain how and why I had been furnished with an inaccurate statement with regard to the matter, and I am happy to say that the answer I received from that highly esteemed and respected officer was completely satisfactory. [*Laughter.*] Hon. Gentlemen would be acting rather more justly if they would reserve their laughter until they had heard the whole of my statement. As soon as this occurrence took place, this respected officer wrote to the Commissariat officer at

Aldershot to know what information he could give, and what light he could throw upon the subject, and the answer from Aldershot contained these words—

> "Had they (the cavalry) marched from this at the usual time this would not have been the case, but the time of setting off was left to Major-General Hodge, who fixed on the unusual hour of two a. m., which brought the troops at Hounslow much sooner than, no doubt, they were expected."

The Commissary General-in-Chief was not satisfied with this answer, and he called upon the Commissariat officer at Aldershot for an official answer. The official answer of that officer was couched in language conveying exactly the same sense as his previous communication. It was therefore the incorrect statement of that officer which misled the Commissary General-in-Chief, and which caused me to be misled. I thought it right, under these circumstances, to call upon the Commissariat officer at Aldershot to explain, and I am sorry to say that his answer was by no means satisfactory, as it appeared to me that he had assumed without any adequate information, that in consequence of the Military Train having moved at a somewhat earlier hour the troops had also moved at the hour he had originally stated; and, therefore, it is with him, and not with the Commissary General-in-Chief, that the blame rests. [*Cries of* "Name!"] It is known to every one that the Commissary General-in-Chief is Sir William Power, and the officer at Aldershot is a gentleman named Rugg. I have thought it my duty, in justice to Major-General Hodge and the other officers commanding the troops in question, to make this statement in order to exonerate them entirely from the blame which, acting under erroneous information, I have thrown upon them. I wish to add to my statement that the occurrence of errors of this description, with regard to the Commissariat, seem to point to the necessity of some reform in this Department. The changes we have in contemplation will make it highly improbable, if not impossible, that such an occurrence can again take place.

CAPTAIN VIVIAN said, that if it were necessary he would put himself in Order by moving the adjournment of the House. He trusted to be able on a future occasion to show that the officer in question was not so much to blame as the right hon. Gentleman appeared to suppose, and therefore he hoped that the right hon. Gentleman would not take action in the matter until further inquiry into the subject had been made.

SIR JOHN PAKINGTON said, the hon. and gallant Member had not concluded with the Motion for the adjournment of the House, and was about to reply when

MR. SPEAKER said, the House had permitted a personal explanation to be made; but the right of moving the adjournment of the House was reserved for occasions on which questions of gravity were to be brought before it.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 237.]—THIRD READING.

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley.*)

Order for Third Reading read.

VISCOUNT CRANBORNE: One of the reasons why I take on myself the liberty to address the House in the first instance upon the present occasion is because the hon. Gentleman the Secretary of the Treasury—who was good enough to send me a *précis* of his wishes with reference to to-night's debate—has intimated that certain hon. Gentlemen intend to press this question to a division. As I am one of those who have uniformly opposed this Bill, I think that perhaps it may be a matter of courtesy to the House, and to Members who may be kept from more agreeable occupations to attend here for a division, to know that, as far as I am concerned, I know of no such intention, and, seeing that the great preponderance of opinion in this House is undoubtedly in favour of our passing this Bill without delay, for my own part I certainly shall not press the House to divide upon the question whether the Bill shall be read a third time; I hope that in so saying I shall not for one moment be supposed to shrink from the opposition which I have offered to this Bill, but that it will be understood that I simply wish to consult the convenience of the House. But though I think that no division is desirable at this stage of the measure, seeing that the House in its past debates seems to have fully made up its mind as to the course it will pursue, I do not think that this stage should be passed without discussion. We are now at the third reading of this Bill. It is impossible to mention those words without feeling how enormously the Bill has changed since it passed its second reading. In no sense is it the same Bill. When it passed its second reading it bristled with precautions and guarantees and securities. Now that we have got to the third reading all those precautions, guarantees, and securities have disappeared. The hon. Member for Northamptonshire, when it was moved that the Bill should be printed, proposed that beside the Bill as it now stands should be printed a copy of the Bill as it was originally introduced. Besides those two I should like to see yet another document, and that is, the demands which were made by the right hon. Gentleman the Member for South Lancashire on the occasion of the second reading of the Bill. My right hon. and gallant Friend near me (General Peel) said that this was a compound Bill, and that he did not know to whose authorship it was due. I cannot help thinking that if he had referred to the record I have just mentioned—if he had taken the original scheme of the Government, and had corrected it by the demands of the right hon. Gentleman the Member for South Lancashire, he would have with tolerable exactness the Bill as it now stands. I mention this because I see with enormous astonishment that the passing of this Bill is spoken of as a Conservative triumph. Now, it is desirable that the paternity of all the strange objects that come into the world should be properly established; and I wish to know whether this Bill, as is generally supposed, is exclusively the offspring of the Government, or whether the right hon. Gentleman the Member for South Lancashire has not had something to do with it? If he has, it follows as an indisputable axiom that it cannot be a Conservative triumph. Now, I heard the demands which the right hon. Gentleman the Member for South Lancashire made on the second reading of the Bill; most of the Members on this side of the House who heard the speech made by the right hon. Gentleman on that occasion thought that it was imperious in its tone, and I do not deny that there was a stringency in the language employed, which could only have been justified by the character of those to whom it was addressed. Imperious language can only be justified by the obsequiousness with which it is obeyed. Now, I have sketched lightly the demands made on that occasion by the right hon. Gentleman. They are ten in number:—First, he demanded the lodger franchise. Well, the lodger franchise has been given. Secondly, and this is the only doubtful one, provisions to prevent traffic in votes. Such provisions, however, are to be contained in another Bill, about the probable success of which I know nothing. My impression is that traffic in votes will be one of the results of this Bill. The right hon. Gentleman next demanded the abolition of obnoxious distinctions between compounders and non-compounders. Not only have those obnoxious distinctions been abolished, but all distinctions whatever have disappeared. The fourth demand of the right hon. Gentleman was that the taxing franchise should be omitted. It has been omitted. Fifthly, that the dual vote should be omitted. It has been omitted. Sixthly, that the re-distribution of seats must be considerably enlarged. It has been enlarged full 50 per cent. Seventhly, that the county franchise must be reduced. It has been reduced to something like the point at which it stood in the proposal of last year. Eighthly, that the voting papers must be omitted. To my extreme regret, the voting papers have been omitted. The last two demands were that the educational and savings banks' franchises should be omitted. These two franchises have been omitted. ["Question!"] Why, what, Sir, is the question but this? Remember that the history of this Bill is quite peculiar: I venture to say that there is no man in this House of Commons who can remember any Bill being treated in the way that this Bill has been dealt with. No man in this House of Commons can remember a Government who have introduced a Bill of this importance, and who have yielded in Committee Amendments so vitally altering the whole constitution and principle of the Bill as has been done in the present instance. I think, therefore, it is but fair on the third reading of this Bill, when it appears before us for the last time in a full House, that we should be allowed to trace the changes to their sources that have been made in it. I venture to impress this upon the House, because I have heard it said that this Bill is a Conservative triumph. If it be a Conservative triumph to have adopted the principles of your most determined adversary, who has just come into the House—the hon. Member for Birmingham; if it be a Conservative triumph to have introduced a Bill guarded with precautions and securities, and to have abandoned every one of those precautions and securities at the bidding of your opponents, then in the whole course of your annals I will venture to say the Conservative party has won no triumph so signal as this. Now, what is the real meaning of the Bill which now presents to us a form so altered since its first introduction? That it is a Bill of immense importance we all know, and that its vast importance has been conferred upon it in the course of its passage through Committee, and yet, as far as I know, we have received from no Minister of the Crown, from no advocate of the Bill, any account of the reasons and the motives which have led to the introduction of this momentous change; everything that has been done, has been done in something like a panic. The debates have been carried on, not here, but in the lobbies behind. The persuasions by which Members have been induced to agree to a measure which often contradicts all their previous resolutions have not been used in the open light of day. We had some revelation of their character in the case of the Motion of the hon. Member for Oldham, and I think we might have had some revelations, not very different in character, with respect to the Resolution, notified, but never introduced, of the noble Lord the Member for Chester. But be that as it may, these debates have been carried on in the lobby of the House. We have had no account in the House of the reasons which induced the Government to make these portentous changes. From the right hon. Gentleman the Member for Oxfordshire, indeed, we have had a reason for the conduct of his Friends which he would, I think, have scorned to urge on his own account. As far as he himself is concerned, the right hon. Gentleman said beforehand that if a change were made, that change must be household suffrage. But for his friends his excuse is that the pot was boiling over—a somewhat ignoble reason it must be confessed. I would suggest that if the right hon. Gentleman and his Friends were so afraid of the pot boiling over it would have been wiser on their part to have refrained from lighting the fire. But that argument will never be forgotten, and that it should be the solitary reason advanced in support of the Government, that has been urged, amounts to a political event. It tells us what is the policy by which the Conservative party is likely to be guided in the future—that so long as the pot does not boil they will adhere to every opinion they have expressed with a firmness to which some have even given the name of obstinacy; but the moment there is any appearance of the pot boiling over they will rush to a change. They thus somewhat resemble the men who are bold when no danger is present, but who at the first threat of battle throw their standard into the mud and seek safety in flight. I think that another illustration of the panic under which this measure has been undertaken is to be found in the fact that we have had no account of the end to which it is likely to lead. No one seems to be agreed as to the results of the tremendous revolution we are making. We are making it absolutely in the dark. You take no trouble to ascertain what these classes are to whom you are giving this power. You know something of them in the trades unions. If you like the way in which the trades unions do their work you will look with sanguine hopes upon the future of this country. You have seen something of them in the conduct of the old freemen, and if you are pleased with that conduct you can look forward with sanguine views to the future of this country. But, except with regard to the freemen and the trades unions, you have absolutely no knowledge whatever of this class beyond what is included in the knowledge that they are Englishmen, as the Chancellor of the Exchequer says, and flesh and blood, as said by the right hon. Gentlemen opposite. It seems to me that every one who tries to prophesy with respect to this franchise tries to prove that the course you are taking will not have its natural effect. If you gave to 100 men of one class power to outvote fifty of another class, you would naturally conclude, were it a matter in which you had no concern, that the fifty would have no chance whatever. You cannot deny that that would be the natural result. But we hear on all sides that there are peculiar circumstances in this case, and that the influence of rank and position will so modify the natural desires of everybody to get what they can, that the 100 will allow themselves to be guided by the fifty who happen to have a Lord at their head. I myself do not believe in that influence of wealth and rank. I believe it will operate in quiet times and on ordinary questions. I believe it is very likely that for ordinary purposes you will find members of the upper and middle classes returned to this House, and that where no pressure exists they will be governed by the feelings of the classes to which they belong; but if ever any crisis arises—if there is any stress which draws men into violent action, I believe that then you will find that the upper and middle classes will no longer vote for the class to which they belong, and that those who are elected will care more for their seats than for their class. Why, Sir, there is nothing which is more remarkable in history than the instinct with which the lower classes have always selected, or tried to select, for the purposes which they desire to carry out, members of the very classes against whom they were acting. Depend upon it, if any storm arises, if there is any question of labour against capital, any question of occupation against property, it will be no protection to you that you may have men who belong to the class of proprietors or the class of capitalists in this House; it will be no more protection to you than it was to Louis Seize that a Philippe Egalité was found among the French Revolutionists. You will see, what has been seen a hundred times, that men will rather vote against their class than peril their own position with their constituents, and will care too much for their own political future to fly in the face of those who elect them. What I believe is, that the Members of Parliament who will be returned under this Bill will be wealthy men with Conservative instincts, and steeped to the lips in Radical pledges. We know from the example of this Session how much Conservative instincts will avail with men who are acting under the fear that they will lose their seats. These defences are admirable when there is no attack; they are strong when there is no storm to blow them down. But there is no delusion more fatal than the expectation that a representative belonging to a particular class will not carry out, when firmly and violently demanded of him, the wishes of his constituents. I make these observations because I desire that my own opinions on this subject should not be misunderstood. I know I shall be met by expressions of trust in the people of England; and, in the condition in which we are, I can only reply, that I most earnestly hope that that trust may be justified, and that as far as I am concerned, and as far as every good citizen is concerned, our efforts should in future be directed only to try that it should be justified. But what is the effect of this Bill? The right hon. Gentleman the Chancellor of the Exchequer the other day indulged in some fancy statistics; he said that only 300,000 or 350,000 voters would be added to the constituency by the Bill. Well, it is better to trust these things to gross numbers when you know not the actual numbers. The gross number of voters that will be added by this Bill are, in respect to the occupation franchise, somewhere about 740,000, and, reckoning the lodger franchise, we may say that 800,000 will be the gross numbers added by this Bill. They are added precisely upon the same terms as the existing constituency, which I think is 630,000. Of that 630,000 140,000 are working men; so that the practical result of this Bill will be, that—speaking in round numbers, there will be 1,000,000 of working men against 500,000 belonging to the other classes. Of course, there remain the deductions, upon which you may exercise your imagination as you please. We have rushed so headlong into this matter that we have taken no trouble whatever to get at these figures. The security, the restriction, is the payment of rates. We have taken no trouble to ascertain how many pay rates and how many do not. The Chancellor of the Exchequer is, of course, at liberty to exercise his imagination on this point. He has said the deduction is about 60 per cent; and I feel grateful to him that he did not say 70, or 80, or 90 per cent. There are no statistics at all before us on this point. But bearing in mind that the conditions for both sets of electors are precisely the same, and that there will be 1,000,000 voters of the working class, as against 500,000—I speak in round numbers—of the classes above them, there can be no question that the working classes will be the enormous majority of the constituencies of the country. Well, now upon a great number of matters this may lead to no harm. Upon all questions of foreign policy and of general policy I see no reason to believe that the working classes will come to any other conclusion but what all other sober and reasonable Englishmen come to. But if ever you come to a question between class and class—if ever you come to a question where the interests of one class are, or seem to be, pitted against those of another, you will find that all those securities of rank, wealth, and influence in which you trust are mere feathers in the balance against the solid interest and the real genuine passions of mankind; and you will see that they will use the weapon which you are now putting unreservedly in their hands with a perfect belief that they are in the right, and that they are not in the least diminishing their title to the respect of their countrymen. And yet you will find that your own interests, the interests which you desire to preserve, and, I may add, the interests of enlightenment and of progress, will suffer fatally from the power you have given. In these matters, you must, as I have said, trust for the future in the working classes. If they fulfil your expectations I will join, and more than join, in all the eulogies which you have passed upon them, because they will do that which no class armed with power has hitherto done in the history of the world. If you will look at history you will find that wherever any class have had the supreme control of the legislative power—the *noblesse* of France, the magnates of Hungary, and I am afraid I must say that the same thing holds good of the nobility of England in early times—they have always been liable to the temptation to exercise that power for their own interests, and they have generally yielded to it. If the working men of England are superior to that temptation now that you are placing supreme power in their hands, I admit that their greatest admirers and friends not only do not over-estimate but that they enormously under-rate the virtues to be attributed to them. They will stand alone among the classes which history records as having had the power of bettering their own interests by legislation, and who yet abstained from doing so, out of deference to the views and feelings of the small minority associated with them in the representation of the Kingdom. Well, I feel obliged to the House for listening so patiently to me, occupying as I do, something like the position of champion of a forlorn cause, while I utter on this last occasion on which it is possible to do so these protests against the legislation that you are adopting. But now I must pass to a point with respect to which it is yet possible you may do something, and on which I hope I shall command adhesion of hon. Gentlemen more than I can hope to do in protesting against the principle of this Bill. I think that when the historian of the future comes to review what has passed in the last fifteen years he will say that a more remarkable exhibition has never been witnessed on the part of public men. The campaign which we are now concluding, the battle which you (the Opposition) have now won, was begun in the year 1852, when Lord Derby declared himself the bulwark against the advance of democracy. From that time forward his party took their tone, on all occasions, from their Leader's declaration. It was the natural attitude which they should assume, the consistent course which they should pursue on every occasion, that they should struggle to resist any further encroachments upon the limits prescribed by the Act of 1832. In the year 1859, after resisting time after time the proposals of the hon. Member for Leeds (Mr. Baines) and other hon. Members, they brought forward a Bill with the avowed intention of withstanding any further inroad upon the borough constituency. In the year 1860 they strenuously opposed the proposal of Lord Palmerston to the same effect. And so it went on; and this is the end of it—this is the ignominious conclusion—that Lord Derby's Government, the Tory Government—the Government of those Statesmen who prompted and encouraged that steadfast resistance—should in the end have proposed a change far more sweeping and extensive than any man had before submitted to the House of Commons. Of all the strange and mysterious marvels which we have seen in the course of the present Session, the one which has been to me the most strange is that the right hon. Gentleman the Chancellor of the Exchequer should have in this House and elsewhere denied that he and his party have changed their opinions. Why, Sir, when I remember last year—I see opposite the right hon. Gentleman the Member for Calne, who can bear me out —when I remember what we all consulted together about last year, what we all desired together to do, what we were urged to do by our Leaders, what was the watchword between man and man, and when we all met together what was the common object which we all agreed in promoting, I am surprised that, after so short an interval of time has elapsed, they venture to say they have not changed their opinions. I can only say that I was closely acquainted with all the movements of last year, and I heard all the exhortations which were addressed to us. I heard all the principles that were laid down in urging us to action, and when such a statement is made I feel bound in my own defence to relieve myself from the charge of seeming factiousness, by making this statement, that never, from the beginning to the end of this campaign, was a word hinted that could lead us to believe that Lord Derby and the Conservative Leaders would have brought in a measure more extreme in the way of enfranchisement than the right hon.

Gentleman the Member for South Lancashire. If, as he seems sometimes to have intimated, the Chancellor of the Exchequer had any such scheme in his breast, I can only say that he covered it with an impenetrable veil—with a silence that was undoubtedly most judicious, because if the least hint had escaped him of what he intended to do he never would have gained, on the 18th of June, that majority which placed him in power. I wish to place these things beyond mere assertion, and I have one or two quotations which I will read if the House will permit me. The hon. Member for Leeds will remember how vigorously in 1865 we opposed his Bill—the brilliant speeches that were delivered on his own side for it, and also the speech of the Chancellor of the Exchequer in opposition to it. That was only a £6 rental Bill, and this is what was said by the Chancellor of the Exchequer on that occasion. This speech was delivered just before an election, at a time when statesmen are extraordinarily careful that their words shall truly represent the opinions they desire to sustain, and the character in which they wish to appear before the country—

> "All that has occurred, all that I have observed, all the results of my reflections, lead me to this more and more, that the principle upon which the constituencies of this country should be increased is one not of radical, but I would say of lateral reform."—[3 *Hansard*, clxxviii. 1702.]

[An hon. MEMBER: Vertical.] I believe "vertical" was the term used by the Chancellor of the Exchequer, but in *Hansard* it now stands as "Radical." I have a shrewd suspicion that there was an alteration. The right hon. Gentleman went on—

> "Although we did, in 1859, to a certain extent, agree to some modification of the £10 franchise, yet I confess that my present opinion is opposed, as it originally was, to any course of the kind. . . . . Between the scheme we brought forward and the measure brought forward by the hon. Member for Leeds, and the inevitable conclusion which its principal supporters acknowledge it must lead to, it is a question between an aristocratic Government in the proper sense of the term—that is, a Government by the best men of all classes—and a democracy. I doubt very much whether a democracy is a Government that would suit this country; and it is just as well that the House, when coming to a vote on this question, should really consider if that be the issue, and it is the real issue, between retaining the present Constitution—not the present constituent body—but between the present Constitution and a democracy—it is just as well for the House to recollect that the stake is not mean—that what is at issue is of some price."—[3 *Hansard*, clxxviii. 1702-3.]

And then followed one of the most brilliant passages ever delivered by a Parliamentary orator, in which the right hon. Gentleman compared England with America and France, and showed that those countries after convulsions could begin again, but that England never could, and he ended thus—

> "Under these circumstances, I hope the House, when the question before us is one impeaching the character of our Constitution, will hesitate—that it will sanction no step that has a tendency to democracy."—[3 *Hansard*, clxxviii. 1704.]

This is a matter which affects me in some degree, because in a late debate I ventured to mention something of the dangers of democracy; I was treated with contempt, and told that even in the extension of the suffrage to household franchise, there was no danger from democracy. It was not in this House, but before another assembly, that the Chancellor of the Exchequer declared in the most positive terms that this country does not possess the elements of a democracy, and this is the right hon. Gentleman who has not changed his opinions! It is not merely the right hon. Gentleman, but all the Gentlemen on the Treasury Bench who are pretty much in the same boat; I have here an extract from the speech of the right hon. Gentleman the Secretary for the Home Department. He said—

> "With regard to the suffrage in the boroughs, I object to a simple uniform lowering of the franchise to £7 throughout the country in the manner proposed by this Bill. In one place it will create large unwieldy constituencies, and in another it will swamp the existing constituencies by entirely new elements. It will give to the working classes, who have now an enormous influence beyond their own body, and especially over the small shopkeepers, an undue preponderance of political power."—[3 *Hansard*, clxxxii. 1748.]

I should like to know what this Bill will do? Well, there are other Gentlemen who are Members of the Government who expressed opinions on this subject. It is not necessary to go to last year; so rapid have been our changes that we need only go back to last spring—three months ago—to get opinions that are absolutely inconsistent with the Bill as it exists at the present moment. The noble Lord the Secretary of State for Foreign Affairs said—

> "If the right hon. Gentleman the Member for Calne, or any of those who sit near him, believe seriously that it is the intention of the Government to bring in a Bill which shall be in accordance with the views which have always been so ably and so consistently advocated by the hon. Member for Birmingham (Mr. Bright), they are greatly mistaken."—[3 *Hansard*, clxxxv. 1364.]

Then I have what was said by the Secretary of State for India—

> "When hon. Members make objections of this kind—that our franchise is bad because the terms on which it is given are different from those on which the existing franchise is given, it shows that they entirely misunderstand the spirit in which we propose the rating franchise; and they are making an absurd and preposterous allegation when they state that we ought to put the rate-paying voters on the same footing as the £10 householders."—[3 *Hansard*, clxxxvi. 1303.]

I should like to know whether the right hon. Gentleman still entertains the opinion that he stands on the same footing as the £10 householder now. I do not allude to this for the purpose of twitting any man with the change of his opinion. A change of opinion we are all liable to; and I never should think of bringing it by itself as a charge against any man. I may be permitted to say that I should be sorry if I were thought to suggest, for a moment, that there were any secondary or lower motives influencing these right hon. Gentlemen. I believe they have been actuated by the purest and most patriotic considerations; but of all the mysteries of this inscrutable Session, I cannot understand what the sophistry has been which has persuaded them to take the course they have pursued. My object in bringing these changes before the House has been rather to appeal to hon. Gentlemen to desist, for a moment, from that worship of mere success which, it seems to me, I have traced in recent debates. After all, you must remember it is not a mere matter to laugh at; but these things lie at the root and base of your Parliamentary power, and such a thing as this has never before happened in your Parliamentary history. I hear people cite the case of Sir Robert Peel; Sir, the case of Sir Robert Peel was as different from this as light is from darkness. Sir Robert Peel was menaced by no hostile majority; he broke up an assured majority; he did not continue in office by his own will; he resigned office in the hope that his adversaries would undertake the Government, and it was only when he thought there was an appearance that the country would be left without a Government, that he consented to carry out views in opposition to those he had before held. If Sir Robert Peel had, for five years, urged all his adherents to take the strongest views in opposition to Free Trade—if, up to the very latest year, he had supported those views to the utmost—[An hon. MEMBER: He did.]—and if, having done that, he had taken office, and had found, when he did so, that, unless he gave up all his Protectionist views, and introduced Free Trade opinions far stronger than any that had been alleged against him, he must lose office—if, under these circumstances, he had brought in a Free Trade Bill, and had surrounded it with securities—if, under the pressure of his opponents, he had sacrificed those securities one by one—and if, at the end, he had brought in the very strongest measure ever suggested in Parliament, and carried it through the House—if, I say, you could cite such a precedent as that from the life of Sir Robert Peel, then, and not till then, would you be entitled to quote his example as a justification of what has been done by this Government. Sir, this seems to me, apart entirely from the merits of the question, a very serious matter. After all, our theory of Government is not that a certain number of Statesmen should place themselves in office and do whatever the House of Commons bids them. Our theory of Government is, that on each side of the House, there should be men supporting definite opinions, and that what they have supported in opposition they should adhere to in office; and that every one should know, from the fact of their being in office, that those particular opinions will be supported. If you reverse that, and declare that, no matter what a man has supported in opposition, the moment he gets into office it shall be open to him to reverse and repudiate it all, you practically destroy the whole basis on which our form of Government rests, and you make the House of Commons a mere scrambling place for office. You practically banish all honourable men from the political arena, and you will find, in the long run, that the time will come when your Statesmen will become nothing but political adventurers; and that professions of opinion will be looked upon only as so many political manœuvres for the purpose of attaining office. In using this language, I naturally speak with much regret. The Conservative party, whose opinions have had my most sincere approval, have, to my mind, dealt themselves a fatal blow by the course which they have adopted. This question will not always occupy our attention. Other questions will arise; other institutions will have to be defended, and, no doubt, Conservative Members will go down to their constituents and profess the strongest sentiments in support of those institutions. But they will meet men who will say to them, " Oh, yes; we understand all that. We are aware that, so long as you are in opposition, you will defend those institutions stoutly; but we also know, if past history be any guide to us, that the very moment you get into office you will propose measures to abolish them, more extreme than any the most violent of your opponents have suggested." I, for one, deeply regret that the Conservative party should have committed themselves to such a course; I regret that I should be precluded from following any line of policy which they may pursue. Against that course, however, on which they have now entered I deem it my duty to protest, because I wish, whatever may happen in the future, to record my own deep and strong feeling on this subject. I desire to protest, in the most earnest language which I am capable of using, against the political morality on which the manœuvres of this year have been based. If you borrow your political ethics from the ethics of the political adventurer, you may depend upon it the whole of your representative institutions will crumble beneath your feet. It is only because of that mutual trust in each other by which we ought to be animated—it is only because we believe that expressions and convictions expressed, and promises made, will be followed by deeds, that we are enabled to carry on this party Government which has led this country to so high a pitch of greatness. I entreat hon. Gentlemen opposite not to believe that my feelings on this subject are dictated simply by my hostility to this particular measure, though I object to it most strongly, as the House is aware. But, even if I took a contrary view—if I deemed it to be most advantageous, I still should deeply regret that the position of the Executive should have been so degraded as it has been in the present Session; I should deeply regret to find that the House of Commons has applauded a policy of legerdemain; and I should, above all things, regret that this great gift to the people—if gift you think it—should have been purchased at the cost of a political betrayal which has no parallel in our Parliamentary annals, which strikes at the root of all that mutual confidence which is the very soul of our party Government, and on which only the strength and freedom of our representative institutions can be sustained.

MR. LOWE: Before we busy ourselves much in allocating the amount of credit to be bestowed in connection with this measure, I think it worth while to invite the House to consider whether any credit at all is due for it to anyone. I have no doubt that when many an hon. Member in the weariness of his heart hails the point in the progress of this Bill at which we have arrived — not because of any particular affection which he bears to the measure itself, but because of his deliverance from a most intolerable and all-pervading nuisance—he imagines that he is about to enjoy a period of quietness, when the wicked will cease from troubling and the weary be at rest. What I wish to ask the House to consider, however, is that we are now closing an era of permanent stability and mutual confidence such as—although it has existed in this country for the last 200 years—has never existed in any country before, and that we are about, on this momentous occasion, to enter upon a new era, when the bag which holds the winds will be untied, and we shall be surrounded by a perpetual whirl of change, alteration, innovation, and revolution. I want to point out to the House that the authorship of this Bill, for which rival candidates make their appearance in the lists, is a disgrace to be avoided, and not an honour to be sought. How do I establish that view? This Bill is really founded on a principle. In saying that, I do not wish to be understood as for a moment imagining that the right hon. Gentleman the Chancellor of the Exchequer ever professed to found it on any principle. As far as I have been able to gather, he has made no such profession. But if you act on a principle—although you do not avow that you do so—and make it evident that it is the ruling guide of your conduct, and that it is a matter of great importance, you are as effectually seeking to establish that principle as if you were to declare it to be the foundation of your action from morning till night. What, then, is the principle on which this Bill is based? The principle on which the right hon. Gentleman has acted is that on which all democracies are established. It is the principle of a right existing in the individual as opposed to general expediency. It is the principle of numbers as against wealth and intellect. It is the principle, in short, which is contended for, and always will be contended for, by those who devote themselves to the advocacy of popular rights—the principle of equality. This Bill, so far as it has any principle at all, is founded on the principle of equality. It regards all citizens, however different they may be in other respects, as in the main alike, and founds upon that view the future constituency of this country in direct opposition to the old constituency which it replaces. Now, if the Government have based their Bill, or the greater part of it —which is the portion relating to the borough franchise—on this principle, they ought, I contend, at least to be consistent, and if they did not mean to inaugurate a period of turmoil, tumult and conflict, to have rendered their measure homogeneous, and taken the steps necessary to make it work well and the people contented. Have they done so? Let us just examine very cursorily a few points connected with the Bill. We are in the first place told that there is to be no "hard and fast line," and every limitation to the borough franchise has been refused; but in the face of that we have a proposal which fixes the county franchise at £12, and places the county electors side by side with those in boroughs, where the working man in receipt of an amount of wages not greater than that of the lowest agricultural labourer will be entitled to vote. You have taught the people that the principle on which your Bill is founded is that of equality, and yet this is the way in which you carry your principle into operation. Who does not see that the necessary result of such a mode of proceeding must be that the inhabitants of counties whom you exclude from the franchise, will not rest satisfied under that exclusion, and that you are in this way sowing the seeds of a discontent and agitation which will not terminate until the county and borough franchises are placed on the same level? It is in vain to appeal on this occasion to what has hitherto taken place. Up to this time we have had inequalities and anomalies existing in this country, and the object has been not to frame a form of Government under which political power should be most equally divided, but a form of Government which should confer the greatest amount of benefit on the community at large. If we were satisfied with the results of our efforts in that direction, we should not have cared to look too narrowly into the existence of anomalies in our institutions. The contrary principle is, however, set up by this Bill, and, being set up, is infringed by its own provisions, thus leaving the door open to further innovation and increased confusion. You have a second instance of the inconsistency of which I am speaking in the case of the lodger. You have said that there shall be no "hard and fast line," and you give a vote to a man who pays £10 a year for his lodgings; but do you imagine that the respectable artizan who happens to pay less than that amount will sit still under the inequality to which you propose to subject him? The fact is, that you are opening the door for another flood of agitation in that direction. Then comes a third point. So eager are you for equality that the poor and the rich are to be rendered by this Bill all of equal weight in the State. You have done away with every notion of personal fitness beyond this—that persons who are excused on the ground of poverty from bearing their share of the public burdens are not to possess the franchise; and having gone thus far you have coupled the first part of your Bill with a scheme of re-distribution of seats, which will render the voting power of the elector in one part of the country as different as possible from that of the voter residing in a different locality. You say, for instance, that in Glasgow and Liverpool, and other large towns he shall exercise one sixty-thousandth part of the electoral power, whereas in some of the small boroughs the proportion will be the seven or eight-hundredth part. Do you think that it is an inequality to which people will submit now that you have disregarded every principle of expediency and taught them to look to equality as their right instead? I maintain, then, that within the bosom of this Bill itself is contained the germs of endless agitation; and that so far from entering on a period of peace and quietness, we are approaching a period of turmoil and of change. And this is not all, for the right hon. Gentleman has so provided that when the question of the boundaries comes before us, the whole of this subject of the re-distribution of seats will again have to be discussed, for, while this Bill is of a most sweeping character as regards the franchise but little has been done in the matter of re-distribution, and even that little has been forced upon the acceptance of the House. I myself persisted in forcing this question upon them, because I had no idea of treating this matter in that way. My principle was to leave the borough franchise pretty much as it is. If you are to make concessions to democracy in one respect, how ridiculous to suppose that you can resist it in another! How absurd to think you can do these things, and yet retain the small boroughs, as the Government has succeeded in doing! I do not shrink from saying that small boroughs had their uses and advantages in adapting the House of Commons to the exigencies of the Executive Government, but those uses will disappear when you inundate the small boroughs with voters so poor that, unless they are endowed with superhuman virtue, it will be impossible for them to resist bribery. You make them the helots of the Constitution. You have placed the small boroughs in a position to exhibit all the grossest tendencies to representative corruption, and have provided, by the defects which you have introduced through the creation of these very large classes of electors, that one day or other they will be swept away in some further democratic change. And it is for the merit of this beautiful piece of workmanship that right hon. Gentlemen are contending! In such a competition happy the man who fails? This principle of equality which you have taken to worship, is a very jealous power; she cannot be worshipped by halves, and like the Turk in this respect, she brooks no rival near the throne. When you get a democratic basis for your institutions, you must remember that you cannot look at that alone, but you must look at it in reference to all your other institutions. When you have once taught the people to entertain the notion of the individual rights of every citizen to share in the Government, and the doctrine of popular supremacy, you impose on yourselves the task of re-modelling the whole of your institutions, in reference to the principles that you have set up. You now argue the question of denominational education, and the opening of University privileges to Dissenters; but by the course you have taken you will bring agencies into force which will make all these questions disappear like dust before the wind. Hon. Gentlemen do not see that. They think "to-morrow shall be as to-day, and much more abundant." You must look these matters in the face, for it is useless to suppose that, founding your institutions on democracy, you can go on legislating with a deference to established privileges and the rights of property. You compel those who are the most opposed to this change, who view it with great dread, myself amongst the number, who apprehend from it the worst consequences—you compel us, I say—from the necessity we must feel to do the best for our country in the great peril to which you have brought us—to adopt principles which, while our Constitution remained as it was, we should have shrunk from. I feel like nothing so much as Clovis, when he was baptized by the Bishop, who said to him—"*Adora quod combusisti combure quod adorasti.*" Almost every principle which to my mind has commended itself as being founded on wisdom and experience, and as tending to the good of the nation at large, I shall be called upon by the hard necessity imposed on me by the Bill to abandon, and every principle which I dislike I shall be compelled to adopt. It has been our habit to consider that there was no better way of showing our love to our country and our respect for its institutions than by doing all in our power to increase the power and privileges of this House. We may have carried the feeling to excess; for now, in the time of trial, how painfully are we reminded of the differences between ourselves and other democratic legislatures? Where is the democratic legislature which enjoys the powers of the British House of Commons? Our plan has been to elect a Legislature by persons whom we could trust, persons who gave some pledge to the country that they were fit to exercise the trust; and, having done so, we trusted nobly generously, and entirely. Other countries have proceeded on a different plan. They have adopted the plan of the right hon. Gentleman the Chancellor of the Exchequer, and they have started, not from the principle that you ought to put the franchise in the hands of persons fit to exercise it, but on the plan of individual right; and, having done so, their whole subsequent labours had been to endeavour to tame the monster they had created, by subdividing power, strengthening the executive, and making it a rival, and by various other devices of that kind. In order to make this new Constitution of yours work at all there is one thing we shall clearly have to do. There is no use in blinking the matter at all. You cannot trust the whole complicated force of this country to a single chamber. You cannot trust to a majority elected by men just above the *status* of paupers. The experiment has been tried; it has answered nowhere; it has failed in America, and it will not answer here. You will require a moderating and counterbalancing force, as in America. Where does that force exist? Is the House of Lords, as at present constituted, any real check, even under the existing state of things, to a violent popular assembly? But what will it be under the state of things that is coming? That assembly will be almost utterly useless against a democratic Chamber, and the question to be considered by every man who loves his country, even by the pink of Conservatives who have brought in the present Bill—will be how to create in some degree a counterbalance to the violence of the democratic Chamber you are creating, and, as the democratic principle brooks no rival, this can only be effected by establishing a second elected Chamber. Yo do not believe this now, but you will believe it by-and-bye. This is language you drive me to use, and language which your own measures will render familiar to you. Those things which you now regard as dreams will force themselves upon you with all the energy of stern reality. Consider also another thing. Such is the envious spirit of democracy that the democratic Chamber itself would become an object of jealousy after a time to those people who elected it; and who would say it represented the country when it was elected, but that in course of time it had lost the character it received from contact with the electors. Here, again, you will be obliged to follow the example of America and shorten the period for which Parliament is elected. But do you believe that a body so constituted and sitting for a shorter period will be able to discharge the duties of maintaining or displacing the Government of this great empire? If not, you must do as they do in America, and must come to consider the question of having a Prime Minister holding office under some other tenure than at present. The only plan for effecting this object would be to obtain a Prime Minister by popular election, and allow him to appoint his Cabinet without being responsible to this House. Then, again, there would be a tendency to subdivide the legislative power by creating local bodies, without which the American Government could not go on. This would arise, not from any mad love of innovation, but because your conduct has made it necessary. You have forced on us institutions which cannot be carried on in any other way. The example of America will no longer be a warning and a terror, for it will become of necessity our model, and we shall act wisely to imitate it under these circumstances. The Americans know the mischief of their own system. Every educated American will tell you that the election of their Judges is a great evil, and that they do not get nearly as good Judges as they would if nominated for life by a responsible Ministry. But as power is given to the democratic majority, that majority does not allow itself to be over-ridden, not even by the Courts of Law; and we shall have as Judges, not those who adhere to the letter of the law, but those who join in the popular sentiment. Then with regard to the army. The system of purchase will be abolished. What will be substituted for it? A seniority of service, or a system of appointments by merit, or, as the latter was sometimes called, a system of appointments by job? In accordance with the democratic principle the army would demand to elect their own officers, and there would be endless change in the Constitution arising out of the present Bill, which, so far from being an end to our evils, is only the first step to them. I should like to say one word in my own defence. I have been charged—nothing is more disagreeable to me than to be so charged—with having myself had a good deal to do with occasioning the passing of this Bill. But let me ask if that is so? Last year I opposed the Bill of my right hon. Friend the Member for South Lancashire on several grounds—mainly on this ground: I said the *élite* of the working classes you are so fond of, are members of trades unions, and I read to you from an extract what has become more familiar to us all since. I showed to you that those trades unions were founded on principles of the most grinding tyranny not so much against masters as against each other. I said they had power over each other that we little dreamt of—a power the hon. Member for Birmingham exhorted that they should use for political purposes; and it was only necessary that you should give them the franchise, to make those trades unions the most dangerous political agencies that could be conceived; because they were in the hands, not of individual members, but of designing men, able to launch them in solid mass against the institutions of the country. Did I speak the words of foolishness then? Have events shown that I was wrong? You have had an inquiry, evidence has been given, facts have come out, and we shall have a great deal more on this tremendous subject. If the House had had those revelations then before them, would my right hon. Friend have put his Bill forward on the ground that it was favourable to the *élite* of the working classes? Then there was another ground. I said, "You begin this sort of thing, but you will not be able to stop." I called two witnesses. First, I called the Member for South Lancashire—he tried the £5 rating; would he be able to stop at that? He did not venture to try it; he tried a portion of it, but very wisely gave it up altogether. There was another witness—the hon. Member for Birmingham. What does he say on the subject? He had been agitating the country for household suffrage—but not meaning—as we now see by his conduct this Session, to get it. In two senses he has got it. The leader of the movement has been himself already outstripped, and he shrinks back like Don Giovanni, which I am told is the Italian for John. Don Giovanni asked the statue of the Commendatore to supper because he had no idea that his invitation would be accepted; but the statue did come, and said to him, "Giovanni, you asked me to supper, and I have come." That is exactly the position in which the hon. Member for Birmingham finds himself, and I suppose he will now get up and tell us that nothing is so ridiculous as to suppose that we cannot limit these things; and that when revolution has set in we had better go home and do the best we can to live in peace and quietness. I disapproved from the bottom of my heart of the change that was proposed last year, and I resisted it with a perfect knowledge that he who resists an attack of any kind runs the chance of sustaining much more injury than if he yields. But are we to turn cowards, and give up our opinions, because we may be overborne and trampled down, not by reason and argument—for them I do not dread — but by brute force and treachery? Was Athens to yield up everything after the battle of Chæronea? Was England wrong when she fought the battle of Hastings, although she lost her king, her nobility, and her gentry, and was left prostrate and unable to demand terms from the Norman conqueror? Is it come to this—that the spirit of England is so low that a man is to be censured and carped at because he does not surrender at the first attack, before he sees whether that attack will be successful?—

> "Cur indecores in limine primo
> Deficimus? cur ante tubam tremor occupat artus?"

It is time enough to run away when we are beaten. But that is not all. If I was not deceived, I must have been a prophet—a character to which I have no claims — for how was it possible that I, who was daily in confidential communication with the right hon. Gentlemen opposite, when they held widely different opinions, could ever have believed that after their declarations last year, and after their condescending to accept from us help they could not have done without, they would have done what they have done. Was it in human foresight to have imagined such a thing? Let us look a little further. Was it to be conceived that right hon. Gentlemen, who had given no indications of the extreme facility of changing their opinions, and lending themselves to the arts of treachery, would, for the sake of keeping a few of them in office for a short time, and giving some small patronage to half-a-dozen lawyers, have been prepared to sacrifice all the principles, all the convictions, and all the traditions of their lives, while others were prepared to turn round on their order, and on the institutions of the country, merely for the purpose of sitting behind those right hon. Gentlemen and hearing, with the knowledge that it is all true, language such as that the noble Lord (Viscount Cranborne) has used tonight?—

> "Egregiam sanè laudem et spolia ampla refertis."

You are well rewarded. How was I to foresee that the middle classes which, to the great benefit of the country, have been intrusted with the electoral power would so tamely and miserably give it up and allow it to be transferred to the poorer classes? How was I to foresee that the right hon. Gentleman, with a body-guard of ducal families, would come forward to overthrow the moderate system under which we live; and yet, unless I had foreseen all this, I am not in any sense guilty; because if right hon. Gentlemen had been true to what they said and pledged themselves to last year, we should never have seen what we have—not only a union of the two extremes of society, the highest and the lowest, but the union of the two parties for the same purpose, both hating and detesting each other—the one tied by pledges, the other by party alliances. Therefore, I say no one has a right to reproach me if I stood alone. The disgrace is not on me, but on those who, believing what I say, never ventured to say one word on the subject. One word I should like to say on the subject of education. I have been one who thought that our institutions in that respect were as efficient as they could well be. I shrink from the notion of forcing education on people. It seemed more in accordance with our institutions to allow the thing to work and freely to supplement the system. That whole question has now completely changed. All the opinions I held on that subject are scattered to the winds by this measure of the Government. Sir, it appears to me that before we had intrusted the masses—the great bulk of whom are uneducated—with the whole power of this country we should have taught them a little more how to use it, and not having done so, this rash and abrupt measure having been forced upon them, the only thing we can do is as far as possible to remedy the evil by the most universal measures of education that can be devised. I believe it will be absolutely necessary that you should prevail on our future masters to learn their letters. It will not be unworthy of a Conservative Government, at any rate, to do what can be done in that direction. I was opposed to centralization, I am ready to accept centralization; I was opposed to an education rate, I am ready now to accept it; I objected to inspection, I am now willing to create crowds of inspectors. This question is no longer a religious question, it has become a political one. It is indeed the question of questions; it has become paramount to every other question that has been brought before us. From the moment that you intrust the masses with power their education becomes an absolute necessity, and our system of education, which—though not perfect, is far superior to the much-vaunted system that prevails in America or any nation on the Continent, as one system can be to another—must give way to a national system. But we shall have to destroy it; it is not quality but quantity we shall require, although we shall thereby be doing a great injustice to those who have so warmly embarked their energies in the cause. You have placed the government in the hands of the masses, and you must therefore give them education. You must take education up the very first question, and you must press it on without delay for the peace of the country. Sir, I was looking to-day at the head of the lion which was sculptured in Greece during her last agony after the battle of Chæronea, to commemorate that event, and I admired the power and the spirit which portrayed in the face of that noble beast the rage, the disappointment, and the scorn of a perishing nation and of a downtrodden civilization, and I said to myself, "O for an orator, O for an historian, O for a poet, who would do the same thing for us!" We also have had our battle of Chæronea; we too have had our dishonest victory. That England, that was wont to conquer other nations, has now gained a shameful victory over herself; and oh! that a man would rise in order that he might set forth in words that could not die, the shame, the rage, the scorn, the indignation, and the despair with which this measure is viewed by every cultivated Englishman who is not a slave to the trammels of party, or who is not dazzled by the glare of a temporary and ignoble success!

Mr. BRIGHT: I am not about to attempt any answer to the very alarming speech we have just heard; and I should not have taken any part in this debate but for a habit of the right hon. Gentleman, from which he does not appear able to free himself. It appears to me that the extraordinary acuteness with which he is gifted, and the spirit of fairness which on some occasions he can show, entirely desert him when he comes to treat of any opinions which I hold, or of anything which I may have said here or elsewhere. I understand him now to tell the House that I am in this situation—that I am in some degree of consternation because the Conservative party have advanced to a point that I think extremely dangerous, and to which I myself would not have gone. Now, the right hon. Gentleman must know—every hon. Member in this House who pays any attention whatever to political affairs must know—that for many years past—in fact, from the very first time that I ever spoke in public, either in the country or in this House—I have always laid down distinctly and unequivocally this proposition, that the permanent foundation for the borough franchise ought to be sought in the householders. I recollect that when Mr. Hume brought this subject before the House twenty years ago, I was one of those who met with him and others to prepare the Resolutions which he submitted to the House. I wrote the Resolutions out with my own hand, and these Resolutions included the proposition for household suffrage. Further than this, the Bill which I prepared in 1859 — which was not brought before the House because the Government of Lord Derby, which had then but lately come into office, proposed to bring in a Bill of their own upon the subject, and I did not, of course, desire to introduce my Bill in competition with theirs—contained also household suffrage, and I have already explained to the House that the right hon. Gentleman has, as I think wisely, though without the acknowledgement which would have been fair, taken my clause, and has put it into his Bill, and it cannot be supposed, therefore, for an instant that I could find fault with it. In the course of the discussions which have taken place upon the subject, I have said that, in deference to the opinions of many persons, and because I believed that there was a class of householders in this country who were so dependent, and I am sorry to say so ignorant, that it was not likely that they would be independent electors, or would give strength to any constituency, it would be desirable to draw a line, and I believe that the line I proposed was houses that were rented at £4 or £3 per annum. That, however, is perfectly consistent with what I have said before. I say now what I have said all along, that the permanent foundation of the borough franchise should be the household suffrage. I do not complain of the passing of this Bill, or of the House having adopted it in its entirety ; but I have said that, looking at the prevailing opinion of powerful classes in this country who regarded such a step with fear and alarm, and also to the fact, lamentable undoubtedly, but which no man can deny, that there is a class, which I hope is constantly decreasing, to whom the extension of the franchise at present can possibly be of no advantage either to themselves or to the country, I should for the present have been willing to consent to some proposition which fell short of household suffrage pure and simple. With that view, I supported, as strongly as I could, the proposition introduced by Lord John Russell during the Government of Lord Palmerston in 1860, for a £6 rental franchise. Last year it is true that I did all that I could by private representation to the Government of Lord Russell to persuade them not to introduce a higher suffrage than that contained in the Bill of 1860 ; but when the £7 franchise was introduced by the right hon. Gentleman on that Bench I supported it, as being a valuable and a rational step in the direction, if you like, to the gradual extension of power to the great body of the people—power which I undertake to say cannot and could not be much longer withheld from them. When we are discussing questions of this nature before a public audience in any part of the country, clearly the man who speaks to a great audience must have something in the shape of a definite principle to lay before them, and by discussing principles and questions in that manner you, of course, explain your views and teach that which you wish the people to learn; but when we come to this House, sitting here even as an unofficial Member, as I do, still more sitting on that Bench which is occupied by the right hon. Gentleman opposite, it is our duty to take into consideration all the opinions and, if you like, all the prevailing fears, and to some extent the ignorance—for fear often comes from ignorance—which is to be found throughout the country. In presenting a distinct measure of this kind to Parliament a Government is, of course, at liberty to make concessions here and there, and to offer to the House such a general settlement of the question as, in their opinion, will meet with the general acceptance and assent of the nation. Therefore it is that whenever what I believed to be a large measure likely to meet the general sympathy and wishes, even although it might not be so large as that now before the House, came before me, I always gave it my honest and cordial support. Had the Government of Lord Derby proposed this Session the very same franchise as was proposed by Lord Palmerston's Government—namely, £10 in counties and £6 in boroughs—I should have given it all the support in my power; but that would not have altered my opinion that the ultimate point of the borough franchise before any very long period had elapsed would be household suffrage—a point to which the right hon. Gentleman has chosen to ask the House to come at once. I am one of those persons who have been subject to every kind of—what shall I say ?—abuse ; that is a very mild word indeed. I have been charged with wishing to urge Parliament and the country to adopt measures of a very perilous character. I believe, when somebody wished to say something very terrible about me, I was accused of endeavouring to Americanize our institutions. But I have no wish to go very far or very fast. My own impression is that, in the political changes which are inevitable in our time in all countries, and which certainly are as inevitable in this as in any other country, it is an advantage to the country that these great changes should be made rather by steps than all at once, especially when there is a large class in the country who have a terror of what you are doing, and who do not go cordially with the changes you would promote. That is the principle upon which I have always acted. I have never condemned Governments and Ministers because they did not go so far as they might have done, and whenever a Government upheld an honest and a sound principle I have always been willing to give them my support in every step that they should make in that direction, and to make every allowance for the great difficulties which every Government has had to encounter, that has endeavoured to make any step at all. Under these circumstances, I shall be glad if this measure passes without a division. I, for one, shall certainly not move the House to go to a division upon it; and when it has passed, perhaps, it may be found that going at once to household suffrage has been wiser than any lesser step would have been. My own impression is that throughout the country there is a general assent given to the clause placing the borough franchise upon the foundation of household suffrage by all those who form what is called the Liberal party; and, as far as I have been able to learn, by a very large portion of the Conservative party, who have divested themselves of their fears; and, that generally the clause has met with an amount of acceptance which a very short time ago no one could have expected for a principle which I think so admirable. There are some points upon which I agree with the right hon. Member for Calne. I agree with him that there are some parts of this Bill which cannot remain as they are for long. There is no doubt whatever, that it is a very unpleasant thing for people living—as I think I illustrated the other day by the case of Doncaster, where a man living in the town cannot have a vote unless he occupies a house or land of £16 or £20 a year rental, while at no great distance an agricultural labourer, who does not receive more than 10*s.* or 12*s.* a week, will have a vote for the borough or little county of East Retford. That is an anomaly which the Member for Calne does not much admire, and which cannot be long continued. I cannot help admiring the conduct of the right hon. Member for Calne in respect to the redistribution of seats. Representing, as he does, one of the smallest boroughs in the country, he has never made any defence of its right to return him to Parliament, and I think he would be willing to get rid of a large number of those small boroughs whose Members cannot in any sense whatever be said to represent the people of this country. Forty such seats have been placed at your disposal. In 1859, I proposed to disfranchise all boroughs with a population of less than 8,000, and to deprive of one Member all boroughs of between 8,000 and 16,000 which returned two Members to Parliament. And when I distributed the Members so obtained, I so allotted them that, in accordance with the populations, every part of the country should, as nearly as possible, have its fair proportion of representatives, with the exception of the county in which the metropolis is situate, Lancashire, and the West Riding of Yorkshire. If such a measure had now been proposed, we should not, I think, either in our own or our children's life-time, have found any necessity for any fresh proposal. I rise, Sir, for the purpose of saying that the right hon. Gentleman has done me, and not for the first time, great injustice in the observations he has made. There is no foundation for the version of my opinions he has chosen to give. I have been consistent in this matter from first to last, even when I have been willing to make concessions in deference to opinions which we are bound to regard. I am delighted that Parliament by so large a majority should come to believe that it is wise and safe to trust the franchise so extensively to our countrymen. The noble Lord, from whom I differ so much as regards this Bill, has expressed a hope with, I believe, as much sincerity as I now do, that the people trusted with so much political power—trusted too with political power at a time when it might possibly have been withheld, though I do not think that it would have been altogether safe to have tried it—will so use their power that these walls in all future time may never enclose any Parliament less worthy of a great nation than the Parliament which is now assembled.

MR. GRAVES said, he would not have risen so early in the debate if he did not think it was an act of justice to Her Majesty's Ministers, who had borne the heat and burden of this great measure, to speak out frankly and boldly the opinion he entertained on this question. He was induced to do so also in consequence of the taunts which had been thrown out against that side of the House by the right hon. Member for Calne, who alluded, not in the most polite terms, to the infamy with which they had covered themselves. He would ask the right hon. Gentleman on what ground had he formed his opinion of the tendency of this Bill? On what ground did he believe that it would tend to democracy and revolution? Had that right hon. Gentleman himself done anything to lead them to place confidence in his statements? The right hon. Gentleman had been opposed to all progress not only during the present, but during the previous Session. The right hon. Gentleman had, indeed, informed them what he hated, but had not told them what he loved, and there might be more reasonable ground for placing reliance in the predictions which the right hon. Gentleman had made, were it not for the fact that his speech of this evening was a repetition almost word for word, of the speeches which he had delivered on former occasions. The right hon. Gentleman had used the same expressions of alarm and fear when it was proposed by the Bill of last Session to admit 125,000 to the franchise, and he now repeated those expressions upon a Bill which, for his part, he believed to be perfectly safe, sound, and constitutional. The right hon. Gentleman had gone back to the days of Greece; and coming down to later times he had referred to the battle of Hastings; but he wished the hon. Gentleman had referred to the Act of 1832, and informed them what England would have done if that Bill had not been passed. He agreed with the hon. Member for Birmingham, when the hon. Member said that the time had come when it was necessary that a Reform Bill should be passed, and he believed, moreover, that the Bill of Her Majesty's Ministers was the best Bill that could be proposed. The right hon. Member for Calne had compared the lowering of the franchise to an avalanche, the force of whose descent it was impossible to arrest. In that comparison he quite agreed, for he fully believed that after leaving the £10 limit there was no principle at which they could stop until they came, as they had done in this case, to household suffrage guarded by payment of rates. It had often been asserted that hon. Members on that side of the House had been gradually led and guided in the direction of this Bill, but in reality they had taken the course they had done by instinct. Right or wrong they had adopted that course from the conviction that it was the only settlement on which they could find a safe resting place. He might tell the House that the Conservatives of Liverpool and the Liberals of Liverpool, numbering some half a million of people, had as far as he had been able to ascertain their opinions, given their assent to the measure proposed by Her Majesty's Government. This fact he believed to be a fair set-off against the representations made by the right hon. Member for Calne. He was aware however that this was a question to be decided by reason and not by authority. Though the franchise had he believed been settled on a sound and safe basis, the Government might with advantage have gone a little further in reference to the re-distribution of seats, so that the whole question of Reform might have been settled for many years to come. He could understand however, the difficulties in the way of the Chancellor of the Exchequer, which prevented him from going so far as he himself would have wished to do, and he was grateful to Her Majesty's Ministers for the last act they had done in conceding additional Members to the great centres of population, a concession which he believed would go far to allay discontent. He would ask what section of the country did the right hon. Member for Calne represent there that evening? When were any Petitions sent in by the country in confirmation of the views to which that right hon. Gentleman had given expression? And on the other hand was he not entitled to point to the number of Petitions which had been presented to the House in favour of this Bill as a proof that the fears and alarm expressed by the right hon. Member for Calne emanated solely from his own mind, and in no way whatever echoed the feelings of any considerable portion of his countrymen? He offered his meed of praise and gratitude to Her Majesty's Ministers for the manner in which they had led Parliament through so arduous and difficult a Session. At the commencement of the Session, in seconding the Address, he ventured to prognosticate that the Ministers would deal with Reform, not in a niggardly spirit, but boldly and comprehensively, and they had justified his prediction. On behalf of a constituency of on inconsiderable magnitude, he offered his thanks to the right hon. Gentleman the Chancellor of the Exchequer and Her Majesty's Ministers for so nobly, generously and trustfully fulfilling the pledge they had given at the commencement of the Session.

Mr. GOLDSMID said, that hon. Gentlemen had that night addressed the House as if they were assisting at a funeral instead of passing a measure through Parliament. He did not think it well that it should go forth to the country that the noble Lord and the right hon. Gentleman (Viscount Cranborne and Mr. Lowe) represented the opinions of any considerable number of the Members of that House, and as no one had risen to protest against the language of these Gentlemen, he thought that it was better that the duty should be performed even by so humble a Member as himself than that it should not be performed at all. He believed that the vast majority of the Members of that House looked upon the Bill with the same feeling of confidence and satisfaction with which it was viewed by the rest of the country. He hoped the measure might lead to compulsory education, and that the House and the country might be induced to pass such a measure with rapidity. He could in no way share the prognostications of evil so lavishly indulged in, and trusted that the new Parliament would furnish a complete contradiction to the results which the noble Lord and the right hon. Gentleman had foretold.

Mr. GORST said, that if a Motion against the third reading of the Bill was made and persevered in, he would vote for it. The Conservative party had last year opposed the Bill of the Liberal Ministry on principle—perhaps an erroneous one, but at least a genuine one, intelligible to their opponents as well as to themselves; and they had expected the Government Reform Bill to be in accordance with that principle. In the Queen's speech Her Majesty had from the Throne expressed Her hope that our deliberations would end in the adoption of a measure which, "without unduly disturbing the balance of political power," would fairly extend the franchise. Again, one of the Resolutions said that—

> "It was contrary to the Constitution of this Realm to give to any one class or interest a predominating power over the rest of the community."

And in another Resolution which hon. Gentlemen now find it convenient to forget, we were told that—

> "The principle of Plurality of Votes, if adopted by Parliament, would facilitate the settlement of the Borough Franchise on an extensive basis."

Had these Resolutions been adhered to; had the balance of power been kept undisturbed; was no class made predominant; did the Bill give the dual votes? If the Resolutions had not been adhered to, it was not the fault of the independent supporters of Government. They knew that there was a majority on the opposite Benches, and they were ready to make every reasonable concession their Leaders desired. In that spirit and temper he (Mr. Gorst) had gone into Committee, and on almost every occasion voted in favour of the Bill. A shock was given to their confidence by the introduction of the first Bill; but confidence was partially restored when the Government recurred to their original policy. If the Chancellor of the Exchequer was reticent, they believed it was to conceal his policy not from his friends, but from his foes. If the Government made concessions, they thought that, while it was necessary to yield on a few points, all the great Conservative features would be preserved; and they, therefore, supported the Chancellor of the Exchequer, in order to enable him to cope with hostile factions; but, now that the Bill had come out of Committee they would simply be fools if they shut their eyes to the real nature of the measure. The measure was one which greatly disturbed the balance of political power, and gave to one class in the country a preponderating power over the rest, because in all the boroughs the taxpayers would be in a minority, and the non-taxpayers in a majority. It was a measure which would not only disturb the present balance of political power, but imperil the political future. He felt perplexed when told that the Conservatives had not changed in their opinions on this question. For his part he could not join in the rejoicings of the Conservative party over a Bill which realized the long cherished convictions of the hon. Member for Birmingham. He might have held his tongue on the subject, but he thought it manlier to speak out, though he knew he could have changed his coat in silence with the crowd. Without a decent interval in which to change his opinions he could not support the Bill further; if there were an opportunity of voting against it he would do so, and he believed that a section of the Conservative party would vote for it only because they believed it must pass. For his own part, he did not believe that a great Conservative Parliament would be returned under this Bill. On the contrary, he believed that the Conservatives who went to the country clad in the false cloak of Liberalism would be certainly rejected by the people. He advised Members of the Conservative party, when they went to the country, not to appear before constituencies as sham Liberals but in their real Conservative garbs, for much as the boroughs might love Liberalism they loved honesty still more.

MR. COWEN: I do not agree with the gloomy predictions of the hon. Gentleman who has just sat down (Mr. Gorst). I rejoice in the passage of a measure conferring household suffrage. The hon. Member for Cambridge, like the right hon. Member for Calne, seems to dread the consequences that will ensue if this Bill become law. I have no such dread. I have been an advocate of household suffrage all my life, and that is not a short one, and it is a source of satisfaction to me to see the principles I have always maintained about to become law. Remembering the fate of the Reform Bill of last Session, I am free to confess that I did not expect to see the suffrage extended to all householders and lodgers this year, but the extension having come I have only one feeling to give expression to, and that is of thankfulness and pleasure. I do not stop to inquire how the change has been effected I am only too glad it has come, to criticize the process of conversion that has taken place. It has been said by the noble Lord opposite (Viscount Cranborne) that no measure of such magnitude has ever been proposed in this House before. The noble Lord, I think, is in error on that point. I beg to remind him that the late Lord Durham, then Mr. Lambton, in the year 1821, brought in a Bill based on identically the same principles as that of the Government. By Lord Durham's Bill it was proposed to give a vote to every man who had paid his parochial rates, and such direct taxes as were due from him. In introducing the Bill Lord Durham said, that being only a young man he should have hesitated to have propounded a measure of such magnitude, had the principle on which it was based not been discussed and defended in the House of Commons on several occasions, by men of authority and distinction, as being in accordance with the principles of the Constitution of the country. The late Lord Grey, in 1797, distinctly advocated household suffrage for boroughs. The principle was also warmly supported by Mr. Fox, Major Cartwright, and other early Parliamentary Reformers. Even Mr. Pitt at one time supported household suffrage. The noble Member for Stamford was therefore incorrect in saying that the advocacy of household suffrage was new in that House. In giving their assent to this Bill they were doing nothing more than putting into practical operation those Liberal constitutional principles that for more than three-quarters of a century had been advocated and enforced by some of the ablest and most illustrious statesmen that the country had ever produced. I have none of the fears that seem to trouble the right hon. Member for Calne (Mr. Lowe) and the few who think with him. There is nothing in this measure that need alarm the most timid of its opponents. The country will not be ruined by the passing of this Bill. In conferring the franchise on the working classes, we will extend to them a power which they will esteem as a boon, and will exercise with care, judgment, and honesty. It is said that the Bill goes beyond the measure introduced by the right hon. Gentleman the Member for South Lancashire, last Session. That is quite true. But in proposing their Bill last year the late Government were actuated, not so much by what they as individual Members thought was abstractedly right, or what the people were justly entitled to, but rather what they thought the House would pass. That was the principle, too, by which the hon. Member for Birmingham had been guided. The hon. Member did not think there was a sufficient number of supporters of the principle of household suffrage in the House to carry it, and, thinking that, he had been content to take a smaller measure. I am glad that the Chancellor of the Exchequer has had the courage to support a measure founded on so sound and just a basis, and I congratulate him on the success of his efforts. I believe the Bill of the right hon. Gentleman will practically settle the suffrage question in boroughs; at least I do not think I will live to see any successful attempt made to carry it further. It is a point at which the country will be glad to rest, and that, I think, is an advantage. Fixing the suffrage on a figure—either of rating or rental—or on any hard and fast line, would have only been to defer the question to some future and early day, when it would certainly have been re-opened. Now, however, the borough franchise would rest, and Parliament, relieved from the discussions on this constitutional question, could give increased energy and attention to the consideration of those great political and social questions which were pressing for solution, and the settlement of which would confer great benefits on the country.

MR. BERESFORD HOPE: Sir, I do not rise at this supreme and solemn moment to handle any party question, nor will I at all indulge in party feeling, although there is no one who would be more justified than I should be in speaking in such a strain. It has been, perhaps, my misfortune—certainly it has not been for my personal interest—that I have never been a good party man, but have always cherished my personal independence. Never until the present Parliament, have I put myself in harness, since the day that I ceased to serve under that great man, Sir Robert Peel, to whom, as I shall never cease to regret, I shared in doing wrong some twenty-one years ago. At the last General Election, however, dreading the advance of democracy, I accepted the Leadership of the present Chancellor of the Exchequer, in spite of personal friendship for Members of the once Peelite party, especially for my right hon. Friend the Member for South Lancashire, and I have reaped my reward. I took suit and service under the Conservative Leader because I dreaded the onward march of democracy, and to-night I find myself assisting at the third reading, under Conservative patronage, of the most democratic Reform Bill ever brought in. Looking at the Bill as virtually an accomplished fact, I desire to point out some of the most glaring defects in the hope that they may be amended next Session, when we must discuss the Boundaries Bill. Everything which has taken place since the first introduction of the measure has more and more clearly shown the radical error which the Government have committed in beginning at the wrong end and taking the question of the franchise first, next going on to the re-distribution of seats, and lastly, leaving the boundaries over till next year. Statesmanship and good sense ought to have prompted them first to have settled the boundaries, thereby mapping out the claims of those places which they propose to enfranchise, and the position of those they contemplate to disfranchise, wholly or in part. This investigation would have naturally led up to the settlement of the distribution of seats, and when that was arranged, the franchise would have shaped itself. In this charge I include both sides. My right hon. Friend the Member for South Lancashire was guilty of the same inversion last year, and now the present Government, instead of profiting by his example to amend their ways, has fallen into the same mistake. I find myself drifting at once into the question of the borough franchise, and the borough boundaries; and I may as well note that every successive Reform Bill has had the same characteristic, that in spite of the greater area and greater population of the country, the main struggle has ever been over the borough franchise. This circumstance is true to the experience of all history. Towns have, as a rule, been always enfranchised. because in them existed a more concentrated public opinion, with better marked and more specific interests than could be found in the wider and more sparsely populated districts of the country. Activity and intellect are brought to a focus in cities, and the political history of free nations has accordingly nearly always been the record of governing towns, whether Athens or Republican Rome, or the Italian city-commonwealths in the Middle Ages. I may then safely assume that the question of the boroughs of England cannot escape from the general law of progress, and that the merit and stability of any scheme of Reform must very greatly depend on the treatment which the boroughs have received. I accept the phrase dropped by my hon. Friend the Member for Honiton (Mr. Goldsmid), and I treat the present debate as the funeral of a past state of things. So viewing it, I desire to regard the question apart from any party considerations; and I contend that, in the interests of a satisfactory settlement, the Government, having resolved to widen the franchise, should first have taken measures to have had the boundaries of the constituencies defined and approved, seeing that upon them must, in reality, rest the permanence of the structure. Any timidity, in dealing with this consideration, shows that those who are responsible for the change are still unconscious of the magnitude of their own workmanship. It shows that they do not yet appreciate that the old spirit of feudality on which the system of our ancient and unreformed Parliament was based, and which had in no inconsiderable degree survived the changes of 1832, is by the present measure swept away; and, therefore, that the question of representation must be taken in hand from the beginning, and treated on considerations of present fact and present exigency. The Government, I need hardly repeat, when it brought in this Bill, omitted to profit by the failure of its predecessors, in its craving to bid still higher for public favour by at once proposing a large and reckless reduction of the franchise, and letting slip the settlement of the grave questions which rise out of the distribution of seats. The re-distribution scheme, which they originally proposed, was received with unanimous disapprobation from its ridiculous inefficiency. But after having taken the fatal step of blindly degrading the franchise, the Government found themselves placed in the unexpectedly lucky position of being able to repair their second fault, on the success of the Motion of the hon. Member for Wick, which by taking away the second seat under 10,000 population, gave them the opportunity of reviewing their policy and of re-casting their Bill. It is true that this Resolution, taken literally, only proposed to extend the number of available seats by fifteen ; but it pointed further than its mere words, and it might have been accepted in the spirit and not in the letter, for in the spirit it was the forecast of a broad and wise system of re-distribution. Instead, however, of profiting by the occasion, and prompted, I fear, by calculations of lucky electioneering combinations, the Chancellor of the Exchequer dryly availed himself of nothing more than the seats directly extinguished. At the same time, he cut off, as far as he could, the chances of further and wider consideration by framing the clause which vested the Boundary Commissioners with power in all instances to extend, and in none to retrench, the limits of existing boroughs. In this provision lies the sting. The letter of the Motion of the hon. Member for Wick affirms the principle that no borough with less than 10,000 inhabitants shall return more than one Member; but its spirit would naturally lead us on to the further demand that the composition of existing boroughs should be analysed, and that, if it can be shown that the real borough—I mean the town itself, with a moderate curtilage—falls below the prescribed population, then that the borough representation shall be retrenched accordingly. This consideration is really as grave a one as many questions on which former Governments have staked their existence, and yet during these debates it has been wholly slurred over. I am, of course, talking of those represented districts, the agricultural or village boroughs, which have been well termed "sham counties." The general idea is, that only about five such mock counties exist. No doubt there is an especial list of five of inordinate dimensions, but there are a good many more which partake of the like character, and my contention is that the Boundary Commissioners, almost without an option of their own, and by the very terms of their Commission, will be compelled still further to swell the number of such anomalous boroughs, as well as to enlarge the areas of the existing examples. If you look at the clause which names the Commission, you will see that they are empowered to recommend the enlargement of existing boroughs, while the Bill is intentionally silent as to any retrenchment of area. With such an appointment their task will be to prop up and strengthen those small constituencies whose real use in this body politic is rapidly vanishing away. Well, then, will not the Commissioners have every inducement, from motives alike of kindness and of the rigorous fulfilment of their delegation—almost, indeed, an obligation—to make out the best case for these small constituencies by throwing in larger adjacent sweeps of agricultural land, and so to swell the cypher of their electors?

I believe that we have never really given to ourselves the true character of, or adequately grasped the gigantic anomaly involved in, these composite boroughs. It follows that we have never tested the leverage which their unreasonable retention will afford for dangerous future agitation. The *raison d' être* of a borough consists, as I have stated, in its possessing a concentrated and individualized public opinion ; but where, I ask, is the public opinion which you can find in those tracts of arable and woodland and sheep-walks, dotted over with labourers' cottages, which you dignify with the privilege of boroughs? What is the political train of the constituency which, subject to your new degraded suffrage, you will invest with the power of creating legislators ? It will be found in the minds of a lot of rustics who follow the plough—good, honest fellows, no doubt, in their own way, and for their own work—in some gamekeepers ; in the poachers whom those gamekeepers are kept to look after; in the village ratcatcher; and in mine host of the "Wheatsheaf." This is the public opinion for which you propose to defraud St. Helens of the Member with whom you promised to endow it. It is for boroughs like these that you haggled over giving a third

Member apiece to our four greatest provincial towns. If Manchester is, as it deserves, to have its third Member, he ought to be taken from one of these mock boroughs, and not from some populous and growing place to which you promised the gift which you now withdraw. But I have not come to the end of the anomalies which your measure will produce in these places. You might have done something to amend their constituencies if you had adopted the proposal of the hon. and gallant Member for Lichfield, and given to freeholders the vote in the boroughs where they dwelt; but you refused to listen to him. The result, accordingly, is, that while every ratcatcher, gamekeeper and poacher, who can get his rates advanced by his landlord, or by the election agent, who holds the brief of the Carlton or the Reform Club, the freeholders, without exception, whether they be the independent possessors of some small patrimony, or the well-acred lords of the soil, and opulent leaders of local opinion, will be alike disfranchised within the boroughs where they dwell, and whence they draw their incomes, and be relegated to the wide indeterminate county. The cause of this dislocation is the condemnation of the principle. Briefly stated it is that the tie which binds the freeholders to that special soil, the reason they have for living within the borough, and the attachment which keeps them to the spot, are of a superior and more permanent and complete character than those which operate upon the men who will get the suffrage within the place—it is that they, the unenfranchised, are the full owners of their own homes, while the voters are only sojourners. Can absurdity go further than to let the little shopkeeper vote, and to refuse the proprietors of the soil—the squire and the rector? It is not so much a truth as a truism; in support of which I challenge the assent of the most advanced Liberal, not less than of the stoutest Tory now present, that there is some degree of legitimate influence attaching to property and intelligence; yet, by your legislation, you strip the chief property and highest intelligence within those boroughs of all legitimate and open power; you reduce them, as far as the suffrage goes, to nonentity. Can you, then, deny that you thereby invite and incite property and intelligence to right themselves by exercising an illegitimate influence? But do not flatter yourselves that this influence, illegitimate or not, of the landed interest will be sure to prevail, and that the chief landholders will continue to hold down these sham boroughs under their grasp. A new influence will come into play and bid fair to drive them out of the field—that of the speculative and political builder. The way in which this new power will work is very simple. The franchise is given to every householder who lives within the borough and pays rates. It may be that the genuine landowners will take good care to concentrate all the labour of the borough within borough limits. But beyond and around each borough ranges the residuary and homogeneous county, and any enterprising owner or lessee of ten or twenty acres, if near the border, can with a little capital carry out a speculation at once lucrative in its mere first returns, and leading to the further enjoyment and profit of tangible and convertible political influence. This speculator has but to study the state of the labour market in the parishes beyond the borough limits (supposing even that the borough is fully served, which may not be the case), and then by the easy process of covering his piece of land with a town of cottages, rather better and more comfortable, but yet a little cheaper (investing as he will do in the election) than any which the existing villages contain, he will attract to himself and hold in hand the labour, not it may be of the very borough itself, but of the adjacent county. Then, although this labour will be, theoretically, by your Bill, an independent, if not a diverse, interest, he will at his own pleasure (himself all along remaining disfranchised as being only a freeholder), put upon the register his cottage tenants as men who sleep though they may not work within the borough. Thus easily will the jobber in houses hold the key of a Parliamentary representation; and, as of course he will treat with the readiest bidder, the ambitious London millionnaire, and not the lord of the manor, will enjoy the unlocking.

Have hon. Members ever looked at a map of England, and studied the anomaly of these rustic boroughs in its full physical proportion? There is enough to surprise them, if they are not case-hardened, when they do. I do not now desire to drag forward any names; but I may mention that in one case an ancient and eminent city is almost enveloped in the wide area of an indeterminate rustic borough, deriving its name from a decayed village. Again, we have all of us, in our younger days, been struck or amused at the spectacle of the Republic of San Marino enveloped within the States of the Church, or of the Canton of Appenzell in that of St. Gall. Well, the same phenomenon exhibits itself among our country boroughs. One of them, itself of considerable area, entitled to rank as "a sham county," is absolutely embedded in another vastly more enormous one. In a third instance the abnormal composition of a borough of wide acreage resembles nothing in the world except the Scotch county of Cromarty or a German dukedom, for it is absolutely broken up into six separate portions, dotted about the containing county. Such gross cases are, we shall probably hear, but few in number; but, under the Bill, a roving Boundary Commission is to be sent out to inquire into and to advise upon the extension of the boundaries of existing boroughs, but with no instructions in any case to take steps for their retrenchment. Being so sent out, with the Reform Bill and its Schedules as their guide, they will naturally endeavour to prop up the existing boroughs as best they can, by throwing in agricultural parishes and districts, with the single intention of showing a colourable amount of population. I should be sorry to see our old and varied system of counties and boroughs replaced by uniform electoral districts; but if there is anything which is more likely than another to lead to such a change, it is those rustic boroughs which are, in all but political incidents, utterly undistinguishable from the county districts, which surround them. The difference is only that they will possess a much worse and more sordid constituency — a constituency which ejects its gentlemen and admits every peasant who is just able to clear the union — a constituency whose caducity downwards exposes to invidious contrast the "hard and fast" line of the £12 rating, on which the county rests. Can any one suppose that the country bumpkin, who sees that his equally pauper brother, because he lives across the sky line of a borough, possesses and makes his market of a vote, will not do his best to break down that "hard and fast" line and win for himself a similar advantage? Some Conservatives, I believe, would not be sorry to see this change introduced, and the peasant householder enfranchised in the counties. There is a school of Conservatism which has persuaded itself that, because the English peasant, defectively educated as he still unhappily is, and subservient from the total absence of political power, or of even any notion of ever obtaining or using it—I might say ignorant of the very idea—would, under the contingency of having power thrust upon him, continue the humble and subservient supporter of the landowner. This, to my mind, is a fatal error. There is no such dangerous delusion as to trust to ignorance and poverty, and build upon subservience. The French *noblesse,* before the Revolution, made the same mistake. They called the peasant *Jacques Bonhomme*—namely, "good easy-going fellow," as the name implies; and when the old regime had crumbled away, they thought to be still saved by the sudden enfranchisement of their former dependents. But they soon learned to repent of their folly at the guillotine. A peasant labour union must by the nature of things be more foolish and mischievous than a trades union, because the men who compose it will be more ignorant.

What I should practically propose to do with these country boroughs would be to empower the Boundary Commissioners to measure out in every direction the extreme boundaries of that which would reasonably be considered the actual town—the kernel, as it were, of the borough, which gave to it its name and identity—and then again set out an area of two or three (for I wish to be liberal) miles round those boundaries. Then if this area happens to come out with more than 10,000 inhabitants let it keep its two Members; otherwise, let it be relieved of one, and in any case let this restricted area form the borough of the future. It may be objected that—as we have so often been told—this is not a disfranchising Bill. Whatever that objection is worth, I will meet it at once by proposing that all the existing registered £10 householders within the cut-off portions of the boroughs shall, for their own personal terms of tenure, so long as that tenure is of £10 value, have votes for the county, even though their occupancy may not be rated at £12. With such a concession no one could truthfully reproach the scheme with being one of a disfranchising nature. As it is, the miserable plan of re-distribution with which we are favoured by the Government will be one of the first matters with which the Reformed Parliament will find itself compelled to deal: one of the first grievances which the agitators for manhood suffrage whom this Bill will enfief, will use as their leverage, and force their nominated

Parliament to take in hand. For my part I do not want them to have a good grievance; and so I desire now, while we are still unreformed, and still possess the ability, to take it into serious consideration, and settle it, as we can do next Session, when the Boundaries Bill comes before us. I do not myself believe that many of the present Members will find themselves in the new House, nor do I believe that the first Reformed Parliament will be a long-lived one. It will soon break up from its own crudeness and inexperience. But when the second Reformed Parliament, called upon some hard popular issue, meets about 1870, then this question of the distribution of seats will, if not previously disposed of, become one of vast and perilous magnitude. Desirous not to give the democracy so good a pretext, I call upon the old Parliament of England to muster courage and face the question.

Before I sit down I must touch upon another characteristic of the Bill, and enter my protest against the inadequate machinery provided in it for the working of elections. We are still living in the dregs of that ancient system of electioneering in which a contest might, like the famous Westminster one, last for months. But we forget not only the general improvement of non-electioneering morals since that time, but also the fact that, with the then existing system of nomination boroughs, the end of such contests was not the issue of a seat in this House or the exclusion from Parliament, but a challenge to public opinion, tried at the bar of some great constituency. Both candidates on that occasion had taken the precaution of previously making their own Membership sure. In this aspect of the matter the prominent part played in such borough contests by the non-resident freemen who came up to vote from the ends of the land carried a meaning very different from its *primâ facie* aspect, and one far from incapable of a good defence. The election was, in fact, an all-England contest, fought, let us say, in Westminster; and the voters were that phalanx of non-resident freemen in all stations of life (very different from the residuum of so-called "freemen" still existing in some boroughs) who formed a sort of rough-and-ready personal representation of the whole people. Assuredly the Reform Bill of 1832 in limiting elections to two and by subsequent Acts to one day has wrought a vast change for the better; yet there is much still to be done in bringing the machinery of contests into keeping with present ideas. The Government and the House, with this fair opportunity before them, have neglected to do the work; and so, unless some more stringent regulations are made next year, we shall enter upon our inheritance of a wide and untried franchise with the delicate and worn-out machinery which, as experience shows, has proved inadequate even for our actually more manageable system. There can be but one result from this *laches*, that electioneering freedom will soon degenerate into democratic license. Some ameliorations have, no doubt, been effected; but they only show the greatness of the work and the timidity of the workers. We have cut short the conveyance of voters in boroughs; while with peculiar vacillation we have shrunk from instituting parochial polling in our counties, and so left the expense existing where it was most costly; while to crown the absurdity, we have in this respect created a special privilege for the five most notorious sham counties. We have disfranchised agents and canvassers; but, though we have done very little towards multiplying polling-places, we tolerate committee-rooms in public-houses, in all the evil amplitude of that most obnoxious system. With purity on our lips we have not even dared to meddle with those freemen whom we all know to be the ringleaders of Parliamentary corruption. So that approaching, as we may expect to do, our new constituencies with the old and palpably inefficient machinery of a discarded constitution, we can, as men of sense, expect to see nothing better than the return and development, on a scale commensurate with the figures of the new electoral roll, of all the old, bad, falsely jovial system of electioneering, both in its turbulence and in its corruption. There is no one, I hope, who looks forward to the immoral Saturnalia as an indirect method of Conservative influence. The Bill is now almost an accomplished fact, and I fear that demagogues, taking advantage of the inevitable accidents which follow sudden changes, and marking the ostentatious deficiencies of the electoral and Parliamentary machinery, will find the inadequacy of that scheme of re-distribution which we have been compelled to accept, a ready means—because unanswerable in theory—of stirring up fresh agitation, and thereby bringing about a further deterioration of our representative system.

MR. HENRY SEYMOUR said, he was one of those to whom in some degree was due the credit of the Bill having passed so far, and he was perfectly prepared to encounter any obloquy which might be supposed to attach to him in consequence. He had supported the Bill among other reasons, because he was desirous that the turmoil of a General Election, an autumn agitation, and the inconvenience attendant on the discussion of a new Reform Bill next year should be avoided. He had supported throughout the Bill of the late Government also, and regretted it did not pass; but he did not blame those who now sat on the Ministerial Benches for its want of success. It did not pass mainly because of the extraordinary opposition which had been offered to it by the right hon. Member for Calne, and the terrific speeches in which he had depicted the future in store for this country in the event of its becoming law. It was impossible to listen to those speeches without perceiving that at the beginning of last Session there existed a certain amount of rivalry between the right hon. Gentleman and the right hon. Member for South Lancashire. When he looked to the antecedents of the right hon. Member for Calne he could not help feeling astonished at the course he had taken in opposition to Reform. He remembered—having enjoyed the right hon. Gentleman's friendship for a great number of years—that he had, as a Member of a Liberal Government, voted on several occasions for a more democratic measure than that of last year. His conversion had been sudden, and although the right hon. Gentleman had given the House many reasons against the Bill, he had not favoured them with any reasons for his own conversion. Gentlemen of great ability had pictured the gloomy future, which would be the result of the present Bill; but was this Bill, which they had passed through that House, in opposition to the hon. Member for Birmingham and the right hon. Member for South Lancashire, a measure which, after all, they need be so much ashamed of? In boroughs the franchise was extended, and in a manner which he thought a great improvement upon the hard and fast line of last year. The county franchise was also greatly extended. The blot of the Bill was that it disfranchised so few small boroughs, but he hoped that next year this blot would be removed. The larger boroughs had been admitted to a larger share of the representation. He rejoiced that such a Bill was likely to become law, and he could not share in the prognostications of evil of which they had heard so much. In Italy, which had only recently enjoyed free institutions, the franchise was as low as in this Bill, and yet the most moderate, most respectable, and most reliable men had been sent to the Italian Parliament. There was universal suffrage in France, and almost universal suffrage in Prussia, and when this was the case in the principal countries in Europe how could England have remained where she was; and could her people have been debarred of that share of political power which had been enjoyed by almost every other nation? The question was sometimes raised—had the present Government a right to carry this Bill? There were ties beyond party, and he was not sent to that House to follow a party when a better course could be taken than that pointed out by his Leaders. In such a case the question became one between himself and his constituents. He felt for the Leaders of his party the utmost respect; but if they took a course which he thought was opposed to the national interests, he would rather resign his seat than follow them into the Lobby. He held that the labour and credit of passing this Reform Bill were the property of no man. The Liberal party had the opportunity of passing such a measure with ease, and they were wrong in going out upon such a question as rating against rental. There was a great deal of agitation during the recess, and the Bill of the present year was brought before Parliament with a declaration that the Government would submit to any Amendments in it. The hon. Member for Birmingham said he never knew a Bill of this kind to be amended in Committee; but the House had seen what could be done when the Opposition formed a large majority. The national welfare had suffered from the weakness and nepotism of the Russell Government, and then Lord Derby's Government came in in 1852. The language held at that time was, "Don't let them get warm in their seats. If we let them get hold of the Treasury Bench we shall not soon get them out of office." He thought that those tactics were clever, but not wise, for there were constant differences between the Members of the Coalition Government which succeeded, and they involved the country in the Crimean war, which might have been avoided. In 1858 Lord Derby's Government again came into office, and by the same clever but unwise tactics they were almost instantly turned out of office. The House might have passed the Reform Bill of that Government which might have been amended in Committee, like the present Bill. It was hardly possible at the time for a Liberal Member to raise his voice in favour of that Bill. He was allowed to attend the meetings held at his Leader's, but not to express his opinions, and he for one did not wish to attend any more of those meetings. He held that the Liberal party were wrong in not having given the Conservatives a fair chance and fair play on both those occasions, and he believed they would have held better together if that policy had been followed. When the Conservative Government came in for a third time, he determined that he for one would not be again led into this trick; and when the time came, and there were symptoms that something was preparing, he should have raised his voice, but the result happily was it was only necessary to vote, and take a silent share in what went on. He admired the right hon. Gentleman (Mr. Gladstone) at the beginning of the Session, when he held such moderate language; but he afterwards changed his tone, and he then took the liberty of differing from the right hon. Gentleman. But what was the language he heard all around him below the Opposition gangway? It was that on public grounds hon. Members would rather see the Bill passed, but that an attempt would be made to overthrow the Government, and that the Liberals would be forced into a party move before Easter. When, however, the Resolution of the hon. and learned Member for Exeter was prepared, a certain number of Liberal Members humbly protested, and deferentially intimated to the right hon. Member for South Lancashire that they could not follow him in the course on which he was about to enter. The right hon. Gentleman saw the justice of their representations, the Resolution was not pressed, and the result was the Bill as it was now before the House. For good or evil here it was, and had it not been for the course adopted on that occasion by that section of the Liberal Members the country would now probably have been in the turmoil of a general election, to be followed by an agitation in the autumn, and perhaps, by the same game being played by the Gentlemen on the front Bench on both sides, until some catastrophe or revolution occurred. These were the grounds on which he had conscientiously acted; and he felt that he had acted as a true Liberal, as one who wished for moderate progress, and who wished to see the institutions of the country amended and not revolutionized.

MR. BARROW said, that the Bill contained too many anomalies and inequalities to have any chance of permanency. He thought variety of franchises, such as existed before the Act of 1832, was the best way to secure the due representation of all opinions, and he objected to this Bill because it gave a preponderance to the occupying class, to the prejudice of those who had a permanent interest in the prosperity of the country. Agricultural labourers had hitherto been able by frugality and industry to acquire a freehold, and thus obtain a vote; but the reduction of the qualification for occupiers would remove the inducement for them to do so. If the opportunity were afforded him he should record his vote against the Bill.

LORD ELCHO: I have hitherto during the passage of this Bill abstained from trespassing on the indulgence of the House, because it appeared to me that, after fourteen or fifteen years' discussion, the time for action had come, and that it was desirable that we should settle the question this Session. This evening, however, has been devoted to personal explanations and to Parliamentary condolences and prophecies; and I am desirous, therefore, of taking the opportunity to offer a few remarks in respect to the course I have adopted. Last year I happened to be walking in Hyde Park, a few days before the Amendment of my noble Friend (Earl Grosvenor) came on for discussion, and a Member of the present Cabinet asked me what was likely to be the result. I said I did not know, but, from what I heard, there seemed a great probability of the Government being in a minority. "What then!" he asked. I replied that I did not pretend to prophesy, but my impression was that Lord Derby would come into power, and that, as the Conservative Party repealed Roman Catholic disabilities, and repealed the Corn Laws, and established Free trade, he might, with the assistance of independent Liberal Members, be able to settle the long-vexed question of Reform. That prediction is very near its fulfilment. As the conduct of independent Members has been much criticized, I wish to say something on the subject, for though I do not profess to speak for others, the justification of his conduct given by one independent Member may be a clue to the conduct of others. Now, there are two classes of independent Members on this side of the House. There are those who may be termed advanced Liberals, whose conduct requires no explanation, as it is very natural that they should vote for a measure which contains in it the principle of household suffrage. There are also moderate Liberals, and in that category I enrol myself. People out of doors ask, "What do you moderate Liberals say to this Bill? Do not you regret the course you took last year?" Now, my answer is, that I do not regret it. I have not changed the opinions which I have held on this subject since I have had the honour of a seat in this House. I have always thought that the most judicious and prudent way of dealing with the question was that proposed by Lord Derby's Government in 1859—namely, by extending the franchise laterally, without lowering it. I am not opposed to Reform, far from it; I believe this question requires settlement, but my conviction is that it would be best settled by a lateral, and not by a vertical extension of the suffrage. We must, however, deal with it as practical men, and I would appeal to the noble Lord (Viscount Cranborne) or to my right hon. Friend (Mr. Lowe) whether, after the Government had this Session adopted the principle of lowering the franchise, the position I held was not an untenable one, and whether anything could have been more Quixotic than to have attempted to adhere to it. I urged my right hon. Friend, when he was about to oppose the Government for dealing with the question at all, to endeavour to improve their Bill rather than to turn them out, and I offered to second, if he would propose, a Resolution approving that it was not desirable to lower the suffrage. My right hon. Friend, however, very wisely I think, declined to make such a proposition; and when, therefore, the question was presented to us whether we should try and improve the Bill, or get rid of the Government, I believe the most patriotic course was that which independent Members have followed—to endeavour to settle the question, instead of leaving it for further agitation, to be settled, I do not know how or by whom. I ventured to oppose the Bill of last year, because it was introduced in an unsatisfactory and fragmentary way. It was brought in six weeks after the opening of the Session, and I could see in it no principle on which we could take our stand. The hon. Member for Birmingham has stated to-night that on account of the residuum, which he dreaded, he was in favour of some middle point between the present £10 line and household suffrage, yet he felt that household suffrage would come very soon. My right hon. Friend (Mr. Lowe) also thought that anything beyond the £10 line would not last. I felt therefore, that if we were to have a Reform Bill it should have some more stable basis than a mere figure, and that I should infinitely prefer a settlement upon some broad basis, such as the present, than upon any temporary expedient of a £6 or £7 franchise. My right hon. Friend, who takes, I think, a most unpractical view of the question, says he opposed the Bill of last year because it enfranchised the *élite* of the working classes, and that that *élite* being the leaders of the trades unions, their organization was such that to enfranchise them and them only would be to hand over the government of the country to the unions. He objects, however, to this Bill, because it does not merely enfranchise the *élite*, but goes further. Now, many persons think that with the view, not of influencing the masses by corruption, but of getting the *bonâ fide* opinion of working men on political questions, it is desirable to go further than the Bill of last year. I believe that the present Bill is a safer measure, and affords a more secure resting place, if we once withdraw from the £10 line, than anything which has yet been proposed. I do not stand up to defend the Government, or to answer my right hon. Friend who has uttered so many pleasant epithets with respect to the present Bill, and has used in reference to it the terms of treachery, infamy, trickery, shame, indignation, scorn, and despair. These may be said to be pearls of the first water, but I am inclined to think that the water is rather muddy. It has been said that the Bill as first proposed bristled with securities, and that the Government have given way with regard to them. No doubt they have, for the Government were in a minority; but who swept the securities away? It was the right hon. Gentleman who sits on this Bench, and who dreads household suffrage pure and simple and shivers at its very name, for during a great part of the Session he was hard at work trying to dig a trench for a £5 suffrage, and why? because he dreaded household suffrage. ["No, no!"] For what reason then? [An hon. MEMBER: To assist Lord Grosvenor.] I like that! My noble Friend opposite, who has the quality of being a pessimist as regards human nature referred to the fact of the Motion of the noble Lord the Member for Chester not being brought forward, and said that the Bill was changed in the Lobbies out of the House. He seemed to imply that some secret arrangement had been made between the noble Member for Chester and the Government, and that consequently the Motion was not brought forward. I am surprised at my noble Friend making that statement, because the House knows that no sooner was the Motion on the Paper than the late Chancellor of the Exchequer stepped forward with a similar Motion, though it was with the greatest difficulty that one could reconcile its terms with the rules of Lindley Murray. It is not for me to defend the Government, who are well able to defend themselves; but when we hear so much about the concessions made by the present Government, I wish the House to recall to mind what took place last Session, and compare it with what has occurred during the present Session. With regard to the Bill of 1867, Resolutions were first proposed; subsequently they were withdrawn, and a Bill was substituted. That substituted Bill was subsequently withdrawn, and the Bill now so near passing was brought in. The securities have disappeared with the exception of the ratepaying clause. On the part of the Chancellor of the Exchequer I find a general readiness to meet the views of the House, and an anxious desire to pass the Bill. On the second reading of the Bill the right hon. Gentleman concluded his speech with these remarkable words "Pass the Bill; then change the Ministry if you like." Now, I turn to the year 1866, and I find that a Reform Bill was introduced only six weeks after the opening of the Session. This great haste arose from the fear that the people might say that the Government were not ready to deal with the question, and then we were told afterwards that we had only twelve days to pass the Bill in. Then, when objection was taken to the Bill as being only a Suffrage Bill, a promise was made that the views of the Government on re-distribution would be laid before Parliament. That was not considered satisfactory, and then a Bill on re-distribution was promised, but it was only to be laid on the table and was not to be proceeded with. This course was not deemed satisfactory by the House, and then it was proposed that the re-distribution Bill should be proceeded with, but separately from the Suffrage Bill. In this state of things the right hon. Member for Kilmarnock threatened a Motion on the subject, and then the two Bills were incorporated in one. That was the course pursued by the last Government, and there was on their part a general resistance of concession, refusal of information, a perpetual recourse to shifts and breaking down of bridges. The conduct of the independent Members who opposed the Bill of last year, and who support the present Bill, has been very much criticized. I might use a stronger expression; I might say that as long as we were supposed to be weak we were ridiculed, and as soon as we were found to be strong we were abused. The *Daily Telegraph* stated that we were opposing the Christian views expounded by the then Chancellor of the Exchequer; meaning that we were heathens. One of the hon. Members for Southwark denounced us as traitors, because we did not blindly follow the lead of the right hon. Gentleman the Member for South Lancashire. The expression had the effect of stinging some hon. Gentlemen, but it did not sting me, for I owe no allegiance to the right hon. Gentleman the Member for South Lancashire. I was not elected at the last election as a follower of the right hon. Gentleman, but as a follower of Lord Palmerston; and I told some hon. Gentlemen that it was not worth while to take any notice of the language of the hon. Member for Southwark, but that the best thing to do was to vote steadily for the Reform Bill and keep in the present Government. The hon. Member for Birmingham made a speech at Glasgow in which he declared that I was not worthy of a seat in the House of Commons in consequence of my conduct on the question of Reform, and expressed his astonishment that any intelligent Scotch farmer could be found to vote in favour of my return as a Member of Parliament. I did not object to this attack, because it did me a great deal of good, inasmuch as a paper in my county, which was not generally very complimentary to me, repudiated the interference of the hon. Member for Birmingham. Neither I myself nor any other Member of this House could take any harm from such a speech; and if the hon. Member for Birmingham were present—

[Mr. STUART MILL: He has spoken.]—But that is no reason why he should go away. He has rather a habit of speaking and then leaving the House; but I would say to his face what I must now say in his absence—he has rather a habit of abusing Members of this House. We all recollect a speech he made in which he said that he would engage any day at noon to place a man at Temple Bar, who should seize hold of the first 658 full-grown men, and the odds were they would be, if not better, as good Members of Parliament as those I have now the honour of addressing. The remarks frequently indulged in by the hon. Member for Birmingham reminds me of what an old Scotch cook in my family used to say of the other servants "They are a' fules except me." There was another speech to which I should wish to refer. I was requested at the time to bring it formally forward before the House, but I did not think it worthy of more than incidental notice. The speech to which I refer was made at a Reform demonstration held at the Free Trade Hall, Manchester, on Friday evening, the 22nd of June, 1866, Mr. George Wilson presiding—

> "Mr. Benjamin Whitworth, M.P. for Drogheda (according to the London *Standard*), in seconding the resolution, said that last Tuesday morning, when the result of the division was announced in the House of Commons, he was one of those who called out 'Dissolve,' and he was glad to find that Manchester gave a key-note which had been echoed throughout the country, and he hoped would lead to a number of the Adullamites being sent to the right-about. The Government had won the hearts of the Irish people during this Session by its action on the Church question and on the great question of tenant-right, and every Irishman would do his utmost to keep the present Government in power, and to keep out those who would back up the tyrants of Europe. He believed that if a dissolution took place a £6 borough and a £10 county franchise would be carried, and the Tories would have given another instance of their stupidity in rejecting so reasonable and Conservative a measure. He had seen Mr. Gladstone badgered night after night by a set of blackguards—he could call them nothing else—and he might even call them drunken blackguards, for all the disturbances in the House took place after dinner."

We have heard a great deal this Session about co-operating with the Government, but when such language is used towards Gentlemen who are only exercising their right and performing their duty—being sent here not as delegates but to exercise their judgment in the best way they can on the great questions brought before them—when such attempts are made to coerce their opinions, I am forcibly reminded of the trades unions. What is this but "rattening?" Indeed since the Sheffield disclosures, I am almost tempted to look if there be not a can of powder placed under this Bench; and begin to suppose it is in consequence of a similar apprehension that my right hon. Friend the Member for Calne has transferred his person to the other side of the gangway. But, be that as it may, the position in which we now stand is this, that, in consequence of the action of independent Members, this Bill is now about to leave this House and will probably pass the other branch of the Legislature. What its effect may be no one can predict. I think you must admit that some measure could not be avoided. Those very Members who have opposed the present Bill so strenuously have failed to point out how the question could more satisfactorily be dealt with—they all failed to show how a safe resting-place could be found between £10 and household suffrage. The Bill was inevitable. Possible evils may arise; but I confess I am willing to accept this measure frankly, and in a kindly spirit towards that class of the people who are about to be enfranchised. I have never been one of the courtiers of the working man—for the working men have their courtiers; but it is not those who have the working men most on their lips that are the readiest to do them service. Although I have never said that the working men are the fittest repository for the suffrage, and would make the best ruling class, I have still endeavoured to the best of my ability to promote any measure that I thought would benefit them. I have recently been engaged on one which has brought me much in contact with them. As I have already stated, I think that in any measure of Parliamentary Reform you should endeavour to have a fair representation of all classes of the people, and I think upon the whole this is a fair settlement of the question. I believe that it was impossible to retain the £10 line—as a great many Conservatives had on the hustings pledged themselves against it, and the Opposition side of the House would almost as one man have voted against its preservation. Working men are as open to reason as any other class; and if the upper classes will in their sphere do their duty, and exercise their moral influence over the people, they will find them much more reasonable than some suppose them to be. I accept this Bill, as I have said, in a frank and kindly spirit, and pray that the result of the work in which we have been engaged may be not only to broaden, but to strengthen the foundation of our liberties, and at the same time add to the happiness, prosperity, and power of the nation.

MR. OSBORNE: I never in my life, Sir, have been more puzzled than on the present occasion after listening to the speech of my noble Friend. I do not exactly understand whether that speech was in defence of the Ministry, of his own proceedings, or an attack on my right hon. Friend the Member for South Lancashire. He has talked of himself as being an independent Member; I do not deny his independence, but I question his belonging to the Liberal party, and therefore I deny his right to speak in the name of Gentlemen on this side of the House. [Lord ELCHO: I did not.] Well, Sir, I think the word "we" ran with the word "I" throughout his speech, but I do not believe there are twenty men on this side of the House who coincide with the noble Lord. The noble Lord says he accepts this Bill, but I very much doubt if he will be inclined to honour it when it becomes due. That Bill has been attended by the breaking up, not only of political confidence, but of parties in this House. It has been attended with the breaking up of the great party on the opposite side of the House. ["No, no!"] Well, you are apparently of one mind, but at the next General Election you will find yourselves broken up. But there is another party which has been broken up. It is said, every dog has his day. The noble Lord has had his *Day*, and has paid for it. But that party which was said to be the nucleus of a new Conservative party—the party which was designated the party of the Cave—what has become of it? It did its work, we are told—and a pretty work it was. For what was it? Bankruptcy as regards the *Day* newspaper; bankruptcy as regards the party. Well, Sir, what has happened to that party which was to have been built up? Like another great edifice which was to have been built up—the Tower of Babel—there is confusion of tongues among the builders, and they have been dispersed over the face of the earth. The noble Lord sits there (below the gangway) and the great leader and prophet of the party (Mr. Lowe) sits here (pointing to the front Opposition bench), and is attacked by the noble Lord. That Cave is no longer the Cave of Adullam, but the Cave of Trophonius, whose melancholy prophecies we have heard to-night—prophecies in which I put no faith, and which the House has received with equal admiration and unbelief. And now we are told that this Cave has done its work. What work has it done? Why, last year it opposed a moderate Reform Bill. I believe my noble Friend calls himself a moderate man. Well, he is "a moderate man;" but in what does his moderation consist? His moderation consists in having thrown out the Bill of last year, which was a safe, gradual extension of the franchise, and in now having come foward with bold voice, but I think with half-hearted feelings, and given his support to a measure which is no lateral extension of the suffrage, but that degradation of it which hon. Gentlemen opposite have so long and so loudly denounced. Let us have no more hypocrisy on this subject. We know what those Gentlemen of the Cave are. We know what that "unerring instinct" is by which they have been guided—an instinct to turn out the late Government and put the noble Lord's secret Friends in their place. I for one, however I may have supported this Bill, regret that the Government of the day have abdicated their proper functions. When my noble Friend talks of the right hon. Member for South Lancashire as having been the means of throwing over all the securities that were to be given us, let me ask, if he did throw over those securities, what was the plain duty of the Government? It was to throw over a Bill which they could not sanction, as the right hon. Gentleman the Member for South Lancashire did in similar circumstances, and resign office. ["Hear, hear!" *and* "Oh!"] I take it that was the plain constitutional duty of the Government, and not even the noble Lord can contradict that. Now, I regret, and always have regretted, that this Bill was based upon rating in preference to rental. We heard no reason for abandoning the principle of the Bill of 1832, which based the franchise upon rental, unless it be that it was by the "unerring instinct" of certain Gentlemen that we were led to substitute rating. Now, what was this "unerring instinct?" We have heard to-night that it was "instinct"—as opposed to reason—which led us to this Bill. Why this "unerring instinct" was the simple wish of eleven Gentlemen, all of different politics, to get rid of the Bill—Gentlemen who had no personal preference for rating as opposed to rental, but they disliked the Bill of last year and so they threw it out. Now, whatever may be said by the noble Lord, I think it doubtful whether this Parliament or the Government will gain any credit from the country for the way this Bill has been introduced or passed. Why, Sir, the most cogent argument for the reform of this House has been the conduct of this House. What can it be called but conduct vacillating in the extreme to have thrown out a Bill last year because it was too great, and this year to pass one which is twice as great. This House is condemned by its conduct on the Bill, and whatever may turn out I do not think we shall ever get a worse Parliament than the present. We have heard something to-night about the paternity of this Bill. There is no doubt who is its father. The Chancellor of the Exchequer is no doubt its putative father, but he is not the real father. This offspring is a stolen child; the right hon. Gentleman has stolen it, and then, as the *School for Scandal* has it, he has treated it as the gipsies do stolen children,—he has disfigured it to make it pass for his own. But the real author of this Bill is an hon. Gentleman who sits below me—the hon. Member for Birmingham. I have got a draught of his Bill of 1858, and in that Bill there is this mischievous proposal of household suffrage based upon rating. It is the hon. Gentleman who is the real father of it—he ought to be a right hon. Gentleman and be sitting cheek by jowl with the putative father of the Bill, and why he is not, I do not know. It is all very well to speak of this as a Conservative measure. Why, Sir, the hands that brought in the Bill are the hands of Lord Derby, but the voice was the voice of John Bright. Now, that must be a great consolation to all the Gentlemen on those Benches who for years have been denouncing the hon. Member for Birmingham, and accusing him of Americanizing our institutions — for "Americanizing" was the word. The right hon. Gentleman on the Treasury Bench and his Colleagues are Americanizers, for they share with the hon. Member for Birmingham in the merit of the measure; and the Conservative party are nothing more than votaries and supporters of the hon. Member for Birmingham. There must be some reason for this sudden gyration of opinion. I think the phenomenon may be easily explained. I believe it may be ascribed not so much to change of political principles as to Parliamentary tactics. The Conservative party were worn out; they found they had no chance of office, but they had among them a grand master spirit. Now, whatever may be said by Gentlemen in this House, I am not the man that will ever say anything in disparagement of one of the greatest geniuses that this country has seen. Sir, he has proved himself a great genius. He has converted the most aristocratic Cabinet the country ever saw, and not only has he done that, but he has converted all those country Gentlemen who are known to be singularly obstinate and obtuse. Well, that is an enormous conversion. I doubt whether, since the time of St. Augustine, who converted illiterate barbarians, a missionary had ever such success. But what has induced the great Conservative party to rush at once into household suffrage? I think it may be explained in this way. The right hon. Gentleman, whatever his speeches in this House may have been, has always been consistent in his works, and in them he has maintained that the true allies of the nobility and gentry are not the intelligent artizans or the educated middle classes, but that residuum of whose blissful ignorance we have heard so much, and about whom we know so little. I can bring passage after passage from the right hon. Gentleman's works to prove what I say, and I was surprised to-night that the right hon. Member for Calne did not seem to know it. If ever he had read the works of the right hon. Gentleman, he might have known that he was drawing on his party little by little, and now, with that great success which attends all his efforts — because he is one of those men who can control himself, and therefore can control his party — he has brought them to support a measure of democratic Reform. I hear an hon. Gentleman who represents a small borough express dissent, but I should like to hear him explain how he expects Conservative views to be forwarded by the enactment of household suffrage. The Chancellor of the Exchequer has had enormous success, and there are people who bow down to success. How is his Cabinet composed? Why, Sir, since that celebrated Cabinet of Pelham, which contained eight Dukes, five Earls, and only one Commoner, there never has been a Cabinet composed of such aristocratic and Conservative materials. I must say if we were ever to expect Conservative measures from any Government it should be from one in which there are five Dukes in the Cabinet and two out of it, and Dukes, too, of a singularly Conservative turn. But what has been their course? These Dukes, who both in their counties and in the House of Lords have always resisted any extension of the suffrage, suddenly turn round one fine morning and support a Bill for giving household suffrage. Well, Sir, there is consolation to me as an humble man in that, for it proves that great Peers and great Dukes, however insensible to reason they may be in opposition, are very much like other men when they get into office. And it proves, moreover, that these Dukes, like gold fish, when caught and confined in the Cabinet vase, can alter their colours and also their condition. No, Sir, however we may welcome this Bill, there is one evil which lies at its roots—namely, the way in which it has been introduced, and the manner in which it has been passed. The noble Lord may say what he will—he may worship success, but I do not think the common sense of the country will receive with much confidence a Bill at the hands of men who, having been throughout their lives constantly opposed to Reform, suddenly become converts when in office, and introduce a democratic Bill. The right hon. Gentleman the Chancellor of the Exchequer has a right to felicitate himself upon the progress of this Bill. He has proved himself to be the master of the situation, and he can say with the Roman Consul, "Alone I did it," because he has done it alone. Now, let us take a bird's eye view of his Colleagues. What have they done? It is curious and quite touching to witness the demure but expressive silence which they have maintained with regard to this measure. Why, with the exception of the right hon. Member for the University of Oxford, there is scarcely one on that Bench who has taken part in this discussion, and I do not think that it can be said even of that right hon. Gentleman that he has covered himself with glory. Let us see what some right hon. Gentlemen in the Cabinet said on the hustings. I have here some little extracts from their speeches to their constituents. I will not take the small fry. The key note of all these speeches was this, "We opposed Mr. Gladstone's Bill because it would have swamped the existing constituencies." There are two right hon. Gentlemen who have taken no part in this debate at any time; what did they say to their constituents? Well, here we have the right hon. Gentleman (Sir John Pakington) who in a speech to a confiding few at Droitwich, whilst giving his consent to an extension of the franchise, expressed his determination never to assent to a democratic measure, or to assimilate the institutions of the country in any way to a Republican model. Why has the right hon. Baronet not got up to defend the Bill—why has he allowed the whole work to fall upon the Chancellor of the Exchequer? Again, the noble Lord the Secretary for Ireland, in addressing his constituents in July, 1866, said that he opposed Mr. Gladstone's Bill because it went too far; I should like to know what is his present opinion upon the subject of Reform. Then there is another noble Lord whom we all respect—I mean the noble Lord the Member for King's Lynn. He has maintained the most expressive silence upon this Bill, and I cannot help thinking that he has consented to it with great misgivings, because, what did he say on his election in July, 1866? His language is very curious, as showing what his idea was with regard to household suffrage at that time. He said that the measure of the late Government went further as regarded the franchise than the House was prepared to follow—that it was not possible to carry such a large extension of the franchise; but that if Mr. Gladstone's Cabinet had brought in a Bill reducing the county franchise to £20, and the borough franchise to £8, such a compromise would have been accepted by the great majority of the Conservative party. How, therefore, can those right hon. Gentlemen after pronouncing such speeches on the hustings come down here and expect that we should give them any credit for anything else than a desire to remain on the Treasury Bench? We are told to let "bygones be bygones," and to accept with gratitude what the Bill has given us. I feel no gratitude whatever, for I feel no confidence. It is true I do not share in the prognostications of violent change as the result of this Bill that have been uttered; but what I do believe in is a larger expenditure on the part of the candidate and a greater consumption of beer on the part of the voter. But as for telling what will happen to the constitution of this House in consequence of this Bill, except that wealth will have a greater power in it, it is impossible to predict anything of the kind. One change we must have, however, instead of our cry being "Register, register," henceforth it will be "Education, education;" for, depend upon it, you cannot Americanize our franchise, without borrowing other things from that country, and one of those things must be the education of our people. And I can say this much, that had we known the fact brought to light by Commissions of the moral obliquity existing in some parts of the country some time since, I doubt whether we, ardent Reformers as we are, should have been passing the third reading of this Bill which gives this wide suffrage. But, having gone so far, and having committed ourselves to this extent, it is impossible for us to retract; we must go on, and our only safeguard for the future will consist not in securities and restrictions, but in the education of the people.

Mr. SANDFORD said, that the noble Lord opposite (Lord Elcho) seemed to have attacked everybody in the House, from whatever side he spoke. He attacked the hon. Member for Southwark, and the noble Lord the Member for Stamford, and the hon. Member for Nottingham. The only persons he excepted were the Members of the Government and himself. He set himself up for a prophet, and endeavoured to prove it by quoting prophecies of his own. He acknowledged that he could not say a word as to the probable result of the Bill, and yet he was the only person who had risen to support the views of the Government. He agreed with the statement of the hon. Gentleman opposite, that the silence of the Treasury Bench generally on this question had been most ominous—but the House had at least been favoured with the views of two Members of the Government. These were the Chancellor of the Exchequer and his ancillary Member of the Cabinet, the present Secretary for the Home Department, the Member for the University of Oxford. Speaking in the earlier part of the Session that right hon. Gentleman told the House that the Bill was founded on the Resolutions. Now, he dare say that most of the Members had by this time quite forgotten the Resolutions, but for his part he had not; and he would take this opportunity of reminding hon. Members of the third Resolution, on which the Government had at the time laid great stress. The right hon. Gentleman the Member for the University of Oxford prided himself on his conscientious and consistent Conservatism. How had the third Resolution been preserved? He would refresh his memory in respect to that Resolution, for he certainly must have forgotten it. That Resolution was to the effect that, while it was desirable that a more direct representation should be given to the labouring classes, it was contrary to the Constitution of this Realm to give to any one class or interest the predominant power over the rest of the community. He would ask the right hon. Gentleman the Member for the University of Oxford how that Resolution had been preserved? But that right hon. Gentleman did not stop there. Speaking of the Bill on the 20th of March, those fatal Ides of March, the right hon. Gentleman used this language—

> "I think that, upon the figures as they stand, and as they have been reviewed by the right hon. Gentleman opposite, coupled with the checks introduced in the Bill, the measure is a perfectly safe one. If it differs in different boroughs, I can only say that one of the chief arguments adopted last year, on both sides of the House, against the right hon. Gentleman's measure, was that there was a disgusting monotony in all boroughs."—[3 *Hansard*, clxxxvi. 515.]

He went on to say how excellent the measure was with the Small Tenements Act in existence, because it preserved the principle of self-election. What had become of that principle now? Nor was this language confined to the Member for the University of Oxford; it was repeated by the Chancellor of the Exchequer, for that right hon. Gentleman, in his opening speech, said he regretted the ancient suffrages of the country. But they all knew that the ancient suffrages of the country depended on their variety, and when the right hon. Gentleman was reproached with the variety which the suffrage of the Small Tenements Act would create, the right hon. Gentleman consistently rose in his place and defended that variety of suffrage, because he said that it would relieve the uniformity which had been so often urged with fatal effect. He (Mr. Sandford) would ask the right hon. Gentleman what had now become of the variety of the suffrage? It appeared to him that they had substituted the uniformity of a household suffrage for the uniformity of a £10 rental. The Member for the University of Oxford also said that the Bill was founded on the great principle of residential rating suffrage, but since then the lodger franchise had been introduced, which was completely destructive of that principle of rate-paying suffrage, and had made the demand for manhood suffrage logical and irresistible. No Gentleman in that House was more desirous than he was for allowing to the working classes a large share in the representation; and, in fact, he advocated the principle when it was not quite so fashionable as it was at present in that House, because he had always felt that the objection of the hon. Member for Westminster to the present distribution of political power was a fatal one when he stated that although the working classes possessed 28 per cent of the representation they must always be in a perpetual minority. But he would contrast the justice of that complaint with the injustice of the remedy proposed. The power which one class possessed over the rest of the community would simply change hands, and the other classes of the community would be placed in precisely the same position as the Member for Westminster complained the working classes were now in. They would soon find how desirable it would be to give to the minority some protection. At present in Scotland there was a large Conservative minority, but not a single Conservative Member. That was not a fair representation of the country. And in like manner in New England there was a large democratic minority, but not a single democratic legislator. That showed the necessity which there was for giving the minority some protection. One great reason why he thought it desirable to give the working classes a greater share in the representation was because he considered that the great vice of England at the present day was its flunkeyism. It prevailed extensively among the middle classes, nor were the higher free from it, for there was an undoubted admiration of Dukes amongst them. At the same time he did not wish the working classes to receive more than their fair share of justice. But what had the Government done? They had given up the diversity of representation in every instance. They had given up dual voting and the Small Tenements Act; in fact, they had successively surrendered every principle which was laid down as a safeguard, and the mode of their surrender had been characterized by the term "dexterity." He confessed himself that that was not a word which he should have applied to such a policy. Nothing was easier than for a Minister upon the slightest pretext to abandon every principle for which his party contended if his object was simply to retain office. The only question with such a Minister was, whether he was willing tc pay the price. For himself, he (Mr. Sandford) did not believe that a temporary triumph or a temporary retention of office was worth the purchase, if that price was the utter abnegation of all political principle and honour.

MR. DOULTON said, that, if anything were wanting to show that this might be accepted as a Liberal measure, it would be supplied by the fact that those Members who had most consistently and persistently opposed all Reform were opposed to this Bill. The noble Lord the Member for Stamford had made a statement which appeared to him to be totally void of foundation. That statement was that the hon. Member for Birmingham and the right hon. Member for South Lancashire, with those who had supported them on this question, were entitled to some of the credit attaching to the position to which this Reform Bill had arrived. He had never heard anything more fallacious in that House. It was, indeed, true that the right hon. Gentleman the Member for South Lancashire, at the commencement of the Session, stated—if not in words, at least, in meaning—that his policy on this question was to be a policy of peace, forbearance, and, if necessary, of compromise, in order to arrive at a settlement of the question. Undoubtedly, up to a certain period, that policy was maintained; but only just so long as the Government appeared to be in a precarious position. But, the moment it became evident that they were not only willing but able to grapple with Reform, and were intent upon passing a really large measure, the right hon. Gentleman's policy of peace was exchanged for a policy of war. That policy was maintained till some weeks back, when, by the aid of the independent Members, the Bill seemed certain to be carried; and then the right hon. Gentleman found that it was a good Bill, and deserved support. Upon the second reading the right hon. Gentleman advised the House to reject the Bill, and that advice was acquiesced in by the hon. Member for Birmingham. When the good sense of a majority of the House led to the withdrawal of that proposal, an "Instruction," prepared, as he understood, by the right hon. Gentleman himself, was placed in the hands of an hon. and learned Member (Mr. Coleridge), supposed to be one of the most eloquent advocates of any question in that House, and this, if carried, would have been tantamount, not only to a defeat of the Bill, but to the overthrow of the Government. The resources of the right hon. Gentleman were not, however, even then exhausted. The House would recollect the letter which the right hon.

Member for South Lancashire sent to the hon. Member for the City (Mr. Crawford.) That letter was not sent without a purpose; but it failed to produce the effect it was intended to produce. Hon. and right hon. Gentlemen sitting on these (the Opposition) Benches still endeavoured not to improve the Bill, but to defeat the Government. They used unworthy taunts towards the Government—taunts which had been repeated to-night—and placed every possible difficulty in their way. When these tactics failed, abuse and calumny were thrown, at Reform League meetings and elsewhere, upon the few independent Liberals who had dared to advocate the Bill. That was the ground taken by the hon. Member for Birmingham, and the Reform League, and the National Reform Union. When the National Reform Union was resuscitated, mainly by the hon. Member for Birmingham, it appeared probable that there would be a disagreement between that and the Reform League—one advocating household, and the other universal, suffrage; but they met upon a common ground upon which they could agree, which was to seek not to improve the Bill, but to throw out the Ministry. All these plans having failed, hon. Gentlemen who had assailed both the Bill and the Government next took credit for the position in which the Bill was placed. He believed that credit was mainly due to the tact and ability shown by the Chancellor of the Exchequer, and not least of all to the temper of the right hon. Gentleman in dealing with the provocations of a most extraordinary character which he received from that (the Opposition) side of the House. He had heard a good deal this Session about the sacrifices and humiliations which men were willing to make in order to retain office; but he thought that nothing could exceed the sacrifices and humiliations which men were willing to undergo in order to regain office. He believed, too, that credit was due to those few hon. Gentlemen sitting on the Benches in his own neighbourhood, who had adhered to the measure through good report, and through evil report, and who, throwing aside all party ties, had determined to support the Government in passing the Bill through the House, because they believed it to be a measure honest in its intentions, and, as he believed had been shown, just in its results. But it was said that the Bill, in its present shape, was the Bill of the House, and not of the Government. That was precisely the form which the Government, from the first, said they wished it should assume. When the Bill was introduced to the House it was said that, as the question of Reform had baffled all the attempts of parties to arrive at a settlement, it must be settled by the House itself. The principle of the Government Bill, however, he maintained to be in the measure yet, and the House had only done what it was invited to do by the Chancellor of the Exchequer, and what the right hon. Gentleman the Member for South Lancashire had admitted to be necessary. No doubt those who were opposed to the Bill, and desired its rejection, were dissatisfied with the mode of proceeding; but, supposing their wishes had been successful, what would have been the result? The former Bill introduced by Lord Derby was rejected; and, when a Liberal Ministry came into power, Reform was shelved for a number of years—so shelved, not because they loved Reform less, but because they loved their places more. Such would have been the result in this instance had their desires been realized. The one unpardonable thing, however, urged against those who had acted as he had done was their faithlessness to their party. That charge was made by those who had attained the position they held by constantly opposing the Liberal party. The hon. Member for Southwark for instance, (Mr. Layard), in the speech which he delivered at Bermondsey—a speech rendered memorable by a little incident that occurred subsequently in the House, stigmatized certain hon. Members as "traitors," and hoped that the electors of Lambeth and Marylebone and some other places, would not consent to be represented by men who had been faithless to their party. With what face or what grace could the hon. Gentleman have said that? The hon. Gentleman subsequently said—in the House but not to his constituents—that he used the word "traitors" in joke. For his part, he must say that he had never regarded the hon. Gentleman as a joking man, but had always looked upon his utterances as being intended seriously. But with what grace could the hon. Gentleman make the charge of faithlessness to party? No one had for a number of years more consistently opposed the Liberal party than the hon. Member for Southwark, and that opposition continued until the hon. Gentleman received a reward in the shape of a seat in the front Benches, and from that time until the present moment he was perfectly willing to admit that the hon. Member had been an obedient—a very obedient—Member of the Liberal party. There were other Gentlemen who occupied the front Benches while the last Ministry was in power who were open to the same charge. Some hon. Gentleman behind him, too, had equally opposed the Liberal party. He could remember, for instance, that when he first came into the House some four or five years ago, there was scarcely a Liberal measure proposed by the Government of Lord Palmerston which was not resisted by the hon. Member for Birmingham. [Mr. BRIGHT here made a gesture of dissent.] He would take care to be prepared on a future occasion to justify what he had said by a reference to *Hansard.* The Bill, however, was now an accomplished fact. He did not share in any way in the misgivings of the hon. Member for Birmingham. He listened to the speech of the hon. Member that evening, and he also heard the speech of the right hon. Gentleman the Member for South Lancashire, and it seemed to him that the right hon. Gentleman and the hon. Member for Birmingham were the only two Members who were afraid of this Bill. For himself, he entertained no such alarm, and he believed that the course which would be taken by the House that evening would tend to the glory of the country and the honour of every one connected with it.

MR. NEWDEGATE said, the hon. Member for Nottingham, whom he hoped he might call his hon. Friend — [Mr. OSBORNE: Oh, certainly.]—had compared the Chancellor of the Exchequer to St. Augustine, and he supposed the hon. Gentleman meant to compare the right hon. Gentleman to the St. Augustine who came from Rome to England. There were two saints of that name; the St. Augustine who came to England, was a monk sent to this country by the Pope, who had, while endeavouring to establish the power of the Papacy, been accessory to putting to death some hundreds of Welsh priests, because they refused to conform to the Papal mandate. He (Mr. Newdegate) understood there was a Member for Wales near him who was positively this evening shivering in his shoes. The other St. Augustine was an African bishop, a sound theologian, in most respects, a good Protestant, of whom some Cardinals would, no doubt, say—

> "——Hic niger est hunc tu romane caveto."

The reason that he (Mr. Newdegate) had for some years advocated a Reform of Parliament was because for years he had seen hon. Members sanctioning vast changes in the Constitution of this country. In 1845 Protestant feeling had been outraged by the establishment of Maynooth; then the measures of what was called Free Trade were carried so far as to threaten, if they had not actually caused, the repudiation of the principle of nationality, and even the Christian character of that assembly had been well nigh destroyed by the admission of Jews — changes which had all received the sanction of the hon. Member for Birmingham. Why was the hon. Member for Birmingham desirous of reforming a Parliament which had done its work so well? He had at times stood alone in defence of the institutions which these measures infringed. His conclusion, fortified by measures which passed that House, and, in some instances, the other House too, was that they would have a revolution before they had a Reform Bill, and he thought that if they were to have a revolution, it would be better to have it in due order, after and not before the Reform Bill. He thought that the changes which would be sure to ensue, had better be the act of the people themselves. He honoured the consistency of the noble Lord the Member for Stamford, the right hon. Gentleman the Member for Calne, and other Members who went with them into a certain Cave. He wished to remark that no such franchise as the household suffrage had ever yet existed under the Constitution of this country. Circumstances had, however, led to the introduction of that franchise; and, although he was not disposed to under-estimate the importance of the change which this Bill would effect, he had no want of confidence in his countrymen, and he therefore trusted that the result would be advantageous. It was true, as had been said by the hon. Member for Birmingham, that the redistribution of seats was not in proportion to the change which had taken place in the suffrage. Having accepted the numerical principle as applied to property and population in 1832, and having proceeded upon it now in the establishment of the new franchise by household suffrage; the Bill suddenly stopped short of doing justice to the majority of the people by increasing their direct representation in that House; for although the representation of the county population had been somewhat increased, still, after that increase had been made, eighteen seats were yet wanting to make the direct representation of the majority of the people who were resident in the counties equal to two-thirds of the representation of the minority who were resident in the boroughs. He trusted that that disproportion would be considered elsewhere. It was totally unfair and unjust; it could not stand consistently with the principles on which the Bill was, in other respects, founded. It was to save the small boroughs which were condemned, but which would become still more ridiculous when household suffrage was extended to Arundel and such places, that this acknowledged injustice to the majority of the people was continued. The Conservative Bill of 1859, notwithstanding the attempt to avoid any extension of the borough suffrage, might have passed if it had proposed a just re-distribution of seats. Now, the Government had been forced into a measure of household suffrage for the boroughs which was much more extensive than they originally intended, and even more extensive than the Liberal party intended, merely by their obstinate determination to preserve the gross anomaly, which the very small boroughs represented. This obstinate adherence to the maintenance of those small boroughs, for purposes which they no longer answered, since, with but few, though honourable, exceptions, they no longer returned distinguished politicians, had carried the House further in the reduction of the franchise than they ever intended to go.

Lord EUSTACE CECIL, in the absence of any discussion on the second reading of the Bill, had not had an opportunity of expressing his opinions upon it, and, as an independent Member of the late Conservative party, he was bound to register his protest against a measure he could neither approve nor prevent passing. He cordially agreed with what had fallen from the right hon. Member for Calne. The Bill would perpetuate bribery and lead to an extension of the influence of wealth, and eventually lead to manhood suffrage and electoral districts. He had been unable to find any Conservative proposition whatever in the Bill. All the safeguards which had been so pompously promised by the Chancellor of the Exchequer had entirely vanished into empty talk. He could not see the smallest prospect of permanence in the Bill. Neither counties nor large towns would be sufficiently represented, and agitation would finish only to recommence. The lodger franchise must inevitably lead to a renewed agitation in favour of manhood suffrage. The retention of small boroughs and the refusal to give an extra Member to large towns must lead to a revival of agitation in favour of a re-distribution of seats. Looking at the Bill as a whole from the first moment of its existence down till the present time, he was tempted to quote the following passage:—"Thou art not thyself, for thou existest upon many thousand grains of sand which issue out of dust." So far as the Government was concerned, the Bill had no existence at all. It was not the work of the Ministry; it was the patchwork of the House of Commons. There was one crumb of comfort—honest and consistent politicians on both sides of the House had spoken the truth. In that small band he gloried to enrol himself, conscious that he had been faithful to those principles for which he was elected.

Mr. LAING said, he feared that after the telling burst of eloquence they had been favoured with early in the evening, the House was hardly in a mood to listen to a few words of rather flat common sense. He should not take up much time, but he was anxious, as one of the independent Members who had assisted in passing this Bill, to show that he was not deserving of all the scorn and invective which had been indulged in by certain hon. Members of excited imagination. After years of fruitless agitation and discussion, a great settlement of a great constitutional question was passing the House supported by such a majority that a division against it on the third reading was hopeless. They had also the authority of the hon. Member for Birmingham for saying that it met with as large an acceptance throughout the country as any measure within his recollection that had ever been introduced in that House. It seemed strange that, at the final passing of it, instead of hearing from the Leaders of the House a comprehensive retrospect of the past, and a large and statesmanlike prescience for the future, this great measure should leave them amid a chorus of personal recriminations. He would not refer to those ardent Reformers who, like the hon. Member for Nottingham when they received from the hands of the Government opposite a boon they ought to accept gladly if they were sincere in their professions, had nothing but the language of invective and scorn to deal out towards a measure which ought to satisfy their dearest aspirations. The hon. Member for Nottingham had acquired a great reputation for well-timed, pleasant jokes, and it seemed as if he wished to show what capital for jesting could be made out of political principles. He (Mr. Laing) had listened with disappointment to the noble Lord the Member for Stamford, who often rose into the higher and more serene regions of statesmanship, where anything like personal feeling entirely disappeared. Before objecting in the strong and pointed language he had done to this measure, emanating from the Government of his own side, the noble Lord ought to have recollected that he was for six months and more a Member of a Cabinet which was not formed on the principle of "no surrender," was not formed on the principle of making a stop at a £10 franchise unless it went in a lateral direction, which brought in Resolutions proposing a large reduction of the franchise, and when they miscarried brought in the Ten Minutes Bill, which proposed a great reduction of the franchise based upon the hard and fast line of a £6 rating. When it failed the noble Lord resigned, leaving the Government in a situation where there was no alternative but either to throw everything into confusion by giving up office, or else to accept the inevitable, like practical men, and, in concert with the House, to modify and mould a Bill into such a shape that if passed it would give satisfaction to the country. It was not for him to justify the course of the Government; he rather wished to state what he believed to be the justification of the course which he for one had taken, not as an advanced or ardent Reformer, which he did not profess to have been, but as a moderate Liberal; he wished to justify the course he had adopted in co-operating in the passing of a measure which went fully the length of all that was proposed by the hon. Member for Birmingham. When the question of Reform was originally mooted last Session he felt strongly the advantages which had resulted from political power being vested in the middle classes of the country, as it was by the Act of 1832. He believed that political history could not show more beneficial results than had been brought about during those thirty-five years. He simply stated his opinion, and he would challenge any one to show that the system instituted by the first Reform Bill had not worked well. For his own part, he at first felt very great misgivings in respect to disturbing a system which practically was working well. Further, he would confess that if the lamented Lord Palmerston had been spared to us ten years longer he should have been well content to let that period pass by without re-opening the question of Reform, though he was always aware that the re-opening of it was a mere question of time. If it were an axiom that knowledge is power, surely it followed that as knowledge is diffused more widely political power must be extended along with it? And it was impossible to doubt that knowledge had been diffused widely among all classes of the community, and with it all those feelings, such as loyalty and attachment to the institutions of the country, which fitted men for the enjoyment of the franchise. The adherence of the working classes to the Volunteer movement was one indication of the progress which had been made. Under these circumstances he saw that the extension of political power was a mere question of time; and when the question was mooted and with high authority, it was idle to suppose that they should exclude it from sight, or, like the ostrich, get rid of it by hiding their heads in the sand. When therefore the question was brought forward last Session he, in common with many moderate Liberals, felt that if it was to be raised at all a settlement ought to be aimed at which would be permanent for a considerable term of years, and to attain that end it was necessary to find something like a principle to form the basis of a Bill. A mere arbitrary line did not offer a prospect of any such permanence. He felt that they ought to run some risk in a large extension of the suffrage to secure that object, and in household suffrage with rating he saw a principle upon which they might safely rest. The shape in which the Bill now stood upheld the impregnable principle that those who discharged the obligations of citizens should enjoy the rights of citizens. So much, then, as regards the franchise. He accepted the measure with the more cheerfulness because he did not believe in the correctness of the prognostications of dreadful dangers to arise in the future, although it was true he could not shut his eyes to a certain amount of danger which might possibly result from a measure of a democratic character. Still, he had that confidence, in the public spirit and natural genius of the people and in the worth of the social institutions of the country that he did not believe there would be any great danger. The only other point of importance was that of the re-distribution of seats, and he freely admitted that the scheme of re-distribution in the present Bill did not correspond in its magnitude with the question of the franchise. At the same time he thought that the House had, on the whole, arrived at a settlement on which they might take their stand, at least for a short time to come. On the whole he thought that the Liberal Members who had supported the Bill had pursued a most patriotic course, as they had helped to pass a measure which, in his judgment, would give satisfaction to the country.

MR. SELWIN-IBBETSON said, that ever since his election he had strongly and consistently advocated a large extension of the franchise, because in his opinion the extension of education and the increase of population had made it a necessity. He was therefore rather awkwardly situated, because if his constituents held the same views as his noble Colleague (Lord Eustace Cecil), they, of course, could not approve his opinions, inasmuch as he had supported the Government all through.

THE CHANCELLOR OF THE EXCHEQUER said, Sir, the debate of this evening commenced with what may be described as two very violent speeches — that is, speeches very abusive of the measure before the House, and very abusive of the Ministers who have introduced it. I am more anxious to vindicate the measure than to defend the Government. But it necessarily happens in questions of this character, which have occupied the attention of Parliament for a long term of years, that it is practically impossible to distinguish the measure from the Ministry in any observations upon it. So much depends upon personal character and engagements, and upon the necessity of the time and the temper of the country, when a Minister is called upon definitively to act, that it is perhaps impossible to separate in the remarks which I have to offer to the House a consideration of the conduct of the Government from the nature of the Bill which we now ask leave to read a third time. It is very easy for the noble Lord the Member for Stamford, while he treats of a question which has occupied the attention of Parliament for more than fifteen years, to quote some ambiguous expression which was used early in that period of fifteen years by Lord Derby, and then to cite some small passage in a speech made by myself in the year 1866. But I think that hon. Gentlemen on both sides of the House will admit that to arrive at a just judgment of the conduct of public men and of the character of the measures they propose, it is necessary to take larger and fuller views. Measures of this importance, and the conduct of those who may recommend them, are not to be decided by the quotation of a speech made in 1852 or of remarks made in 1866.

Now, Sir, I accept the challenge made by the noble Lord. I will take that very term which he has himself fixed upon as the test of our conduct and of our policy. I will throw my vision back over those fifteen years—to that very term of 1852 when we were called upon to undertake the responsibility of administration. The question of Parliamentary Reform was becoming very rife in 1849 and 1850 and 1851. If I recollect right, it occupied the attention of Parliament when it first met in 1852, when we were sitting in opposition, and therefore when we acceded to office, and to office for the first time, in the year 1852, although the question was not one which upon reflection men who were responsible for the conduct of affairs would have deemed necessary to treat, yet it was one upon which it was absolutely necessary that a Cabinet should have some definite conclusions, and one upon which it was quite certain the moment they acceded to office they would be called to express their opinion. It happened in that wise, for I think that within a month after we acceded to office, Mr. Hume brought forward, as he was accustomed to do, the whole question of Parliamentary Reform in a very comprehensive manner—referring not only to the franchise, but to the re-distribution of seats, and many other matters connected with it. The Cabinet had to meet and decide upon the spirit in which they would encounter the Motion of Mr. Hume, and I was the organ to express their opinions on the subject. The opinions which I expressed upon that occasion from this very place were such as do not justify the remarks of the noble Lord and the remarks of the right hon. Gentleman. They may not be fresh in the recollection of the House, but I will say only that upon that occasion, with the full authority of a unanimous Cabinet, expressing the opinion of Lord Derby's Government with regard to the question of Parliamentary Reform, I expressed our opinion that if that subject were again opened—and its immediate re-opening we deprecated—the fault which had been committed in 1832 in neglecting to give a due share of the representation to the working classes ought to be remedied. That was in the year 1852, when, with the full authority of the Cabinet, I said that no measure of Parliamentary Reform could be deemed satisfactory which did not remedy the great fault of the settlement of 1832, and I then contended, as I have since, that before the settlement of 1832 ; franchises existed which were peculiar to the working classes, and that although the precise character of those franchises could not, perhaps, have been entirely defended, they should certainly not have been destroyed without the invention of fresh franchises more adapted to the times in which we live and to the requirements of the classes concerned. Therefore it is quite clear that in 1852 our opinions upon the subject of Parliamentary Reform — for many of the Members of that Cabinet are Members of the present—were such that the expressions of the right hon. Gentleman opposite and the noble Lord cannot for a moment be justified.

And what, Sir, occurred afterwards? When we were in opposition during several years this question was constantly brought under the consideration of Parliament, and it continued to be patronized and encouraged by the then Ministers of the Crown, who yet would not deal with it until the very last year of their existence as a Cabinet ; and then, after an official life of some six or seven years, they did introduce the subject to the consideration of Parliament, and left a Bill upon the table when they resigned their Seals of Office. It therefore became necessary for us in 1858 to consider the subject, and we did not conceal from ourselves for a moment the difficulties in treating it that we should have to encounter. But such was the situation of the question, such the state of the country with regard to it, such even the private counsel and encouragement of the most influential of our predecessors in office, that we engaged to consider the question and to bring forward some measure which we hoped might remove the difficulties that stood in the way of general legislation, and so disembarrass political life. We had then to consider the great question of the borough franchise. It was proposed upon that occasion in the Cabinet of Lord Derby that the borough franchise should be founded upon the principle of household suffrage. It is very true that that proposition was not adopted, but it was not opposed, so far as I can charge my memory, on any political ground ; it was not adopted by many Members of the Cabinet, because they believed that if a scheme of that kind were brought forward it would receive no support generally speaking in the country. That opinion of Lord Derby's Government I may say was ultimately formed on no mean knowledge ; elaborate machinery was had recourse to in order to obtain the information necessary to form an accurate opinion on the subject, and the general tenor of the information which reached us certainly forced us to the conclusion that there was an insuperable objection on the part of the constituencies at that time against any reduction of the borough franchise whatever. That that was a true conclusion; and that the information which led to that conclusion was correct there can be no doubt ; for although we were forced to quit office by a Resolution declaring that a reduction of the borough franchise was expedient, those who succeeded us failed in carrying any measure of that kind, and remained in office for years without at all departing from their inaction.

But there is another feature in the policy of the Government of 1859 with regard to this question which I have a right to refer to, and, indeed, am bound to refer to, in vindication of the conduct of that Government. Whatever difference of opinion might have existed in the Cabinet of Lord Derby in 1859 on the question of establishing the borough franchise on the principle of rated household suffrage, there was no difference upon one point ; the Cabinet was unanimous, after the utmost deliberation and with the advantage of very large information upon the subject, that if we attempted to reduce the borough qualification which then existed we must have recourse to household suffrage whatever might be the condition. Upon that conclusion we acted, and I am at a loss to discover in the conduct of public men who have acted in the way I have described any foundation for the somewhat frantic attacks which have been made upon us by the right hon. Gentleman opposite, and for the bitter, though more temperately expressed, criticisms of the noble Lord the Member for Stamford. As probably the majority of the present House sat in the late Parliament, the House is well acquainted with the fortunes of the question of Parliamentary Reform during the years which followed the retirement of Lord Derby in 1859. The question was unsuccessfully treated by the most powerful and popular Minister this country has possessed for many years—by one, indeed, who at various times after 1859 apparently occupied a commanding position with reference to any question with which he proposed to deal; and it has so happened that every leading Statesman of the day, every Party representing any important section of power and opinion in the country, who approached this subject, have all of them equally failed. Lord Russell failed, Lord Aberdeen failed, Lord Palmerston failed, Lord Derby failed, and we were called upon to re-consider the question when we came into office after a fresh failure by Lord Russell.

It is said that we have brought forward a measure stronger than the one we opposed. If that be the case, it is no argument against our measure if it be one adapted to the requirements of the time. But, Sir, we who believe that there should be no reduction of the borough franchise other than what we propose, because there can be no sound resting place between it and the present qualification, were perfectly justified in hesitating to accept a reduction of the franchise which might have disturbed the machinery of the State, and have resulted in consequences far more perilous than we believe can ensue from the measure we ask you to adopt. There had been for a considerable time a much-favoured plan before the public; and the object, or rather, I should say, the consequence, of this plan, which may be described as a moderate reduction of the borough franchise, was the enfranchisement of a certain and favoured portion of the working classes, who are always treated in this House and everywhere else publicly in terms of great eulogium, who are—

> "Fed by soft dedication all day long,"

and assured that they are very much superior to every other portion of the working classes. These were to be invested with the franchise on the implied condition that they were to form a certain Prætorian guard, and prevent every other portion of the working classes of this country from acquiring the privilege, and thus those other portions would be shut out from what is called the pale of the Constitution. This proposal, in different shapes and different degrees, was constantly before Parliament. We were greatly opposed to it since we believed it was a dangerous policy, and we saw greater peril to the institutions of the country in admitting a small and favoured section of that kind into the political arena than in appealing to the sympathies of the great body of the people. The working classes will now probably have a more extensive sympathy with our political institutions, which, if they are in a healthy state, ought to enlist popular feeling, because they should be embodiments of the popular requirements of the country. It appeared to us that if this great change were made in the constituent body, there would be a better chance of arriving at the more patriotic and national feelings of the country than by admitting only a favoured section, who, in consideration of the manner in which they were treated, and the spirit in which they were addressed, together with the peculiar qualities which were ascribed to them, would regard themselves as marked out, as it were, from the rest of their brethren and the country, and as raised up to be critics rather than supporters of the Constitution. These were our views, and we retain the conviction that guided us in 1859, and from which, if we have deviated, it was only for a moment, and because we thought that on this question it was impossible to come to any solution except in the spirit of compromise and mutual concession. We still adhered to the policy of 1859, and believed if you reduced the borough qualification—and some reduction was now inevitable—there was no resting place until you came to a rating household suffrage.

Well, Sir, under these circumstances, we acceded to power last year, and we found it was absolutely necessary to deal with this question; we came into power unpledged; and I have heard with some astonishment reproaches in regard to our change of opinion. I am not here to defend, to vindicate, or even to mitigate every expression I may have used on this subject during the course of many years; but I can appeal to the general tenour of the policy we have recommended. I have always said that the question of Parliamentary Reform was one which it was quite open to the Conservative party to deal with. I have said so in this House, and on the hustings, in the presence of my countrymen, a hundred times. I have always said, and I say so now, that when you come to a settlement of this question, you cannot be bound to any particular scheme, as if you were settling the duties on sugar; but dealing with the question on great constitutional principles, and which I hope to show have not been deviated from, you must deal with it also with a due regard to the spirit of the time and the requirements of the country. I will not dwell upon the excitement which then prevailed in the country; for I can say most sincerely that without treating that excitement with contempt, or in any spirit analogous to contempt, we considered this question only with reference to the fair requirements of the country. But having to deal with this question, and being in office with a large majority against us, and knowing that Ministers of all colours of party and politics, with great majorities, had failed to deal with it successfully, and believing that another failure would be fatal not merely to the Conservative party, but most dangerous to the country, we resolved to settle it if we could. Having accepted office unpledged, what was the course we adopted? Believing that it was a matter of the first State necessity that the question should be settled—knowing the majority was against us, and knowing the difficulties we had to deal with, being in a minority, and that even with a majority, our predecessors had not succeeded—after due deliberation we were of opinion that the only mode of arriving at a settlement was to take the House into council with us, and by our united efforts, and the frank communication of ideas, to attain a satisfactory solution. I am in the recollection of the House, and I ask whether that is not a faithful account of the situation? It was in harmony with these views that I placed Resolutions on the table. It is very true that at that time—in the month of March or February it may be—you derided those Resolutions and ridiculed the appeal; but reflection proved the policy was just, and you have adopted it. We have pursued the course which we felt to be the only one to bring this question to a happy termination, and your own good sense, on reflection, has convinced you that the original sneers were not well-founded. You have all co-operated with us, and it is by that frank and cordial co-operation that we have arrived at the third reading.

The noble Lord the Member for Stamford says that the Bill is no longer our Bill—that it has been enormously changed in consequence of our having accepted the ten conditions of the right hon. Gentleman the Member for South Lancashire, which he also informed the House the right hon. Gentleman had so imperiously dictated. At the time there was some complaint of the imperious dictation of the right hon. Gentleman; but it did not come from me; I can pardon those in opposition who are inclined to be imperious, but I have no fault to find with the conditions that the right hon. Gentleman insisted upon, and which the noble Lord says I obsequiously observed. What were those conditions? Let me recall them to the House. In the first place, the right hon. Gentleman insisted—imperiously insisted—that the dual vote should be given up. He declared his implacable hostility to the dual vote, and the noble Lord says the dual vote was thereupon given up. It so happened, however, that the dual vote was given up one fortnight before those conditions were so imperiously insisted on by the right hon. Gentleman, and it was given up in consequence of the unanimous reprobation of that political device by the Conservative party. Not a single Gentleman on our side of the House was in favour of it. That opinion was expressed in writing and in this House by the right hon. Member for Oxfordshire; and I will not say in consequence of his imperious dictation, but because he expressed the unanimous feeling of our Friends, we took the earliest opportunity of signifying that the dual vote should not be insisted on. Then the noble Lord says we gave up one of the bristling securities of the Bill—that of the two years' residence. Well, we did not give up that obsequiously, because we divided the House upon it, and were defeated by a large majority. Some of our Friends voted against us, a great many left the House, and the rest supported us under protest; so that we had no very great Conservative encouragement to stand up for these securities that we are told bristled round our measure. I think the noble Lord and the right hon. Gentleman have mistaken the character and spirit of the Conservative party when they describe the Government as leading the party, when, as I believe, the party on this question has always been in advance of the Government. There is not a security that we have proposed that has not been objected to by the Conservative party. I would recall to the recollection of the House a celebrated meeting which took place in halls supposed to be devoted to the conservation of the institutions of the country, at which resolutions were absolutely passed. [Mr. SANDFORD: No, no!] Well, passed with very little opposition. [Mr. SANDFORD: No, no!] Well, were they not passed at all? ["No!"] Then am I to understand that the assembly broke up in confusion with an unanimous reprobation of the policy of Her Majesty's Government on this particular point of securities?

What was the next important condition imperiously dictated and obsequiously accepted? It was the great reduction of the county franchise. Now, what happened about the county franchise? We proposed a £15 rating franchise. An hon. Gentleman opposite proposed £10. I was prepared to vindicate the policy of the Government. A meeting of country gentlemen then took place, at which resolutions were certainly passed, because they were forwarded to me. The Government were entreated by that meeting to accept the county franchise at a lower rate than we proposed. Is not this increased evidence that instead of hurrying the party into this abyss of danger it was with very great difficulty that we could keep them back?

Then comes the great case of the compound-householder, and the noble Lord said that the right hon. Gentleman (Mr. Gladstone) declared that there should be no difference between the compounder and non-compounder, and that I immediately and obsequiously gave that point up. But there is some very great mistake here. It is very true that the right hon. Gentleman did object to the plans which we originally proposed with respect to the compounder, but when these terrible conditions were so imperiously dictated, the right hon. Gentleman did not want the existing arrangements of this Bill to be adopted, but wished us to adopt the line of a £5 rating, which, in our opinion, would have entirely emasculated the Bill, and destroyed its principle. I have gone through the principal points referred to, because, to make up the ten conditions, the noble Lord was obliged to go to the fancy franchises. We gave up the fancy franchises, because the lodger franchise had been accepted by the House, and it was quite unnecessary to have the fancy franchises when the lodger franchise was adopted. Was there any great deviation of principle or anything astounding in our accepting the lodger franchise which was one of the propositions contained in the Bill we ourselves brought forward in 1859? Therefore I think I have shown the noble Lord that for that portentous statement of his, which seemed so to alarm the House, how this Bill had been enormously changed through the imperious dictation of the right hon. Member for South Lancashire and my obsequious yielding, there is very little foundation. And when I find that on the measure which I am now asking you to read the third time there were twenty-six considerable divisions, in eighteen of which the right hon. Member for South Lancashire voted against the Government, I fail to discover any evidence of that successful though imperious dictation of which we have heard so much. And, Sir, I think it cannot be said that this was a measure which bristled with securities and precautions that have been given up at the bidding of our opponents. That a great many of them have been given up I shall not deny; but they have been given up not always or in the greatest degree at the bidding of our opponents, and some of them have been given up to the general feeling of the House.

Now, Sir, the noble Lord says that by yielding to these ten severe conditions I have virtually altered the whole character of the Bill. Now, is that true? Is the whole character of the Bill altered? I contend, on the contrary, that the Bill, though adapted of course to the requirements of the year in which we are legislating, is at the same time in harmony with the general policy which we have always maintained. [*Laughter from the Opposition.*] This is a question that cannot be settled by a jeer or a laugh, but by facts, and by facts and results which many of you deprecate and deplore at this moment, and in consequence of which you tell us that you mean to re-open the agitation—a thing which I defy you to do. I begin with what the hon. Gentleman who smiles so serenely may regard as the most difficult question for us—namely, that of the borough franchise —and I say that if we could not maintain the £10 borough franchise, which Members of the Liberal party seem now so much to deplore, but which they opposed in 1859, it was perfectly in harmony with the general expression of our opinions, and certainly with our policy as a party, that we should accept such a franchise as we are now recommending to you by this Bill. You declined, the House of Commons declined, and especially the Liberal party declined, to take their stand upon the £10 franchise. You will not deny that; you will not carp at that. Well, but has there been no question since that time between the £10 franchise, upon the merits of which the right hon. Gentleman the Member for Calne is always dilating, saying it has existed—as he told us to-night in a kind of rhetorical *crescendo* which becomes more and more suprising—for at least 200 years; has there, I say, been no question since the Government of 1859 between retaining that £10 borough franchise and accepting household suffrage? Have you not had the alternative offered of a multitude of schemes? Have you not heard of a franchise to be fixed at £8, £7, £6, and all sorts of pounds? The question therefore for us practically to consider was—whether we were to accept this settlement of the borough franchise, we will say at £5, or whether we should adhere to the conviction at which we had arrived in 1859—namely, that if you reduced the qualification there was no safe resting place until you came to a household rating franchise? The noble Lord says that immense dangers are to arise to this country because we have departed from the £10 franchise. [Viscount CRANBORNE: No!] Well, it was something like that, or because you have reduced the franchise. The noble Lord is candid enough to see that if you had reduced it after what occurred in 1859, as you ought according to your pledges to have done, you would have had to reduce it again by this time. It is not likely that such a settlement of the difficulty would have been so statesmanlike that you could have allayed discontent or satisfied any great political demands by reducing the electoral qualification by 40*s*. or so. Then the question would arise—is there a greater danger from the number who would be admitted by a rating household franchise than from admitting the hundreds of thousands—the right hon. Gentleman the Member for South Lancashire calculated them at 300,000—who would come in under a £5 franchise? I think that the danger would be less, that the feeling of the larger number would be more national, than by only admitting what I call the Prætorian guard, a sort of class set aside, invested with peculiar privileges, looking with suspicion on their superiors, and with disdain on those beneath them, with no friendly feelings towards the institutions of their country and with great confidence in themselves. I think you would have a better chance of touching the popular heart, of evoking the national sentiment, by embracing the great body of those men who occupy houses and fulfil the duties of citizenship by the payment of rates, than by the more limited and in our opinion, more dangerous proposal. So much for the franchise. I say that if we could not carry out our policy of 1859, the logical conclusion was that in settling the question we should make the proposition which you, after due consideration, have accepted, and which I hope you will to night pass.

Let us look at the other divisions of the subject. I will not test by little points the question of whether we have carried substantially the policy which we recommended. I say look to the distribution of seats. I am perfectly satisfied on the part of Her Majesty's Government with the distribution of seats which the House in its wisdom has sanctioned. I think it is a wise and prudent distribution of seats. I believe that upon reflection, it will satisfy the country. It has been modified in one instance, to a certain degree, in favour of views which in principle we do not approve; but we have succeeded in limiting the application of that principle; and, on the whole, the policy which is embodied in the distribution of seats that, by reading this Bill a third time, I hope you are going to adopt, is the policy of re-distribution which on the part of the Conservative party I have now for nearly twenty years impressed on this House. And what is that policy? That you should completely disfranchise no single place; that it would be most unwise, without necessity to disfranchise any centre of representation; that you should take the smaller boroughs with two Members each and find the degree of representation which you wanted to supply in their surplus and superfluity of representation. You have acted upon that principle. But, above all, year after year I have endeavoured to impress on this House the absolute necessity of your doing justice to those vast, I may almost say, unrepresented millions, but certainly most inadequately represented millions, who are congregated in your counties. You may depreciate what you have agreed to; but, in my opinion you have agreed to a very great measure. At any rate, it is the first, and it is a very considerable attempt to do justice in regard to the representation of the counties. Then, although I am the last person in any way to under-rate the value of the assistance which Her Majesty's Government have received from the House in the management of this measure—although I believe there is no other example in the annals of Parliament when there has been such a fair interchange of ideas between the two sides of the House, and when, notwithstanding some bitter words and burning sentiments which we have occasionally listened to—and especially to-night — there has been, on the whole, a greater absence of party feeling and party management than has ever been exhibited in the conduct of a great measure—although, personally, I am deeply grateful to many hon. Gentlemen opposite for the advice and aid I have received from them, yet I am bound to say that in the carrying of this measure with all that assistance, and with an unaffected desire on our part to defer to the wishes of the House whereever possible, I do think the Bill embodies the chief principles of the policy that we have professed, and which we have always advocated. ["Oh!"]

Well, but there is a right hon. Gentleman who has to-night told us that he is no prophet, but who for half an hour indulged in a series of the most doleful vaticinations that were ever listened to. He says that everything is ruined, and he begins with the House of Lords. Such a singular catalogue of political catastrophes, and such a programme of the injurious consequences of this legislation was never heard of. The right hon. Gentleman says, "There is the House of Lords; it is not of the slightest use now; and what do you think will happen to it when this Bill passes?" That was his argument. Well, my opinion is, if the House of Lords is at present in the position which the right hon. Gentleman describes—and I am far from admitting it—then the passing of this Bill can do the House of Lords no harm, and it is very likely may do it a great deal of good. I think the increase of sympathy between the great body of the people and their natural leaders will be more likely to incite the House of Lords to action and to increased efforts to deserve and secure the gratitude and good-feeling of the nation. "But," says the right hon. Gentleman, "what is most terrible about the business of carrying this Bill is the treachery by which it has been accomplished." What I want to know from the right hon. Gentleman is, when did the treachery begin? The right hon. Gentleman thinks that a measure of Parliamentary Reform is an act of treachery, in consequence of what took place last year, when those who now bring it forward were in frequent council and co-operation with those who then and now oppose it. I can only say, for myself, that I hear of these mysterious councils for the first time. But if a compact was entered into last year, when we were in opposition, that no measure of Parliamentary Reform should pass, or any proposal with that object be made by us, if such a proposal is an act of treason, then the noble Lord the Member for Stamford and his friends are as guilty of treachery as we who sit on these Benches. Really I should have supposed that the right hon. Gentleman would have weighed his words a little more; that when he talks of treachery he would have tried to define what he means, and that he would have drawn some hard and straight line to tell us where this treachery commenced. The right hon. Gentleman, however, throws no light on the subject. He made a speech to-night, which reminded me of the production of some inspired schoolboy, all about the battles of Chæronea and of Hastings. I think he said that the people of England should be educated, but that the quality of the education was a matter of no consequence as compared with the quantity. Now, the right hon. Gentleman seems to be in doubt as to what may be his lot in the new Parliament, and what I should recommend him to be—if he will permit me to give him advice—is the schoolmaster abroad. I should think that with his great power of classical and historical illustration the right hon. Gentleman might soon be able to clear the minds of the new constituency of all "perilous stuff," and thus render them as soundly Conservative as he himself could desire. I must, however, remind the right hon. Gentlemen when he tells us of the victims at Chæronea to whom he likens himself, that they died for their country, and died expressing their proud exultation that their blood should be shed in so sacred a cause. But this victim of Chæronea takes the earliest opportunity, not of expressing his glory in his achievements and his sacrifice, but of absolutely announcing the conditions on which he is ready to join with those who have brought upon him so disgraceful a discomfiture. He has laid before us a programme to-night of all the revolutionary measures which he detests, but which in consequence of the passing of this Bill he is now prepared to adopt. The right hon. Gentleman concluded his attack upon us by accusing us of treachery, and by informing us that he is going to support all those measures which he has hitherto opposed in this House—though I believe he advocated them elsewhere—and that he will recur, I suppose, to those Australian politics which rendered him first so famous. The right hon. Gentleman told us that in the course we are pursuing there is infamy. The expression is strong; but I never quarrel with that sort of thing, nor do I like on that account to disturb an hon. Gentleman in his speech, particularly when he happens to be approaching his peroration. Our conduct, however, according to him, is infamous—that is his statement—because in office we are supporting measures of Parliamentary Reform which we disapprove, and to which we have hitherto been opposed. Well, if we disapprove the Bill which we are recommending the House to accept and sanction to-night, our conduct certainly would be objectionable. If we, from the bottom of our hearts do not believe that the measure which we are now requesting you to pass is on the whole the wisest and best that could be passed under the circumstances I would even admit that our conduct was infamous. But I want to know what the right hon. Gentleman thinks of his own conduct when, having assisted in turning out the Government of Lord Derby in 1859, because they would not reduce the borough franchise—he, if I am not much mistaken, having been one of the most active managers in that intrigue—the right hon. Gentleman accepted office in 1860 under the Government of Lord Palmerston, who, of course, brought forward a measure of Parliamentary Reform which it would appear the right hon. Gentleman also disapproved, and more than disapproved, inasmuch as, although a Member of the Government, he privately and successfully solicited his political opponents to defeat. And yet this is the right hon. Gentleman who talks of infamy! Sir, the prognostications of evil uttered by the noble Lord I can respect, because I know that they are sincere—the warnings and the prophecies of the right hon. Gentleman I treat in another spirit. For my part, I do not believe that the country is in danger. I think England is safe in the race of men who inhabit her; that she is safe in something much more precious than her accumulated capital—her accumulated experience; she is safe in her national character, in her fame, in the tradition of a thousand years, and in that glorious future which I believe awaits her.

Motion made, and Question proposed, "That the Bill be now read the third time."

Question put, and *agreed to.*

Bill read the third time; verbal Amendment made.

Bill *passed.*

CARRIERS' ACT AMENDMENT BILL.

(*Mr. Bazley, Mr. Cornwall Legh, Mr. Wilbraham Egerton, Mr. W. E. Forster.*)

[BILL 243.] COMMITTEE.

Order for Committee read.

MR. DILLWYN moved, "That the House should go into Committee on this Bill that day two months."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day two months, resolve itself into the said Committee,"—(*Mr. Dillwyn,*)

—instead thereof.

MR. STEPHEN CAVE said, he had received a deputation which made out a strong case in favour of the Bill, but recommended the postponement of the discussion.

MR. AYRTON said, he would strongly recommend a further postponement of the measure.

MR. WHALLEY said, the opposition originated from railway companies, the Bill being an attempt to relieve traffic from railway monopoly.

MR. WATKIN said, that if the Bill was necessary for two or three trades it was clear a general measure would benefit all trades, and the matter was, therefore, one to be taken up by the Government.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Committee *put off* till this day two months.

WOODHOUSE COLLECTION.

Select Committee *appointed,* "to consider and report on the conduct of Mr. Consul General Saunders with reference to the bequest, by the late Mr. James Woodhouse, of his Coins and other

Antiquities to the Trustees of the British Museum."—(*Mr. Lowe.*)

And, on July 18, Select Committee *nominated* as follows:—Mr. Edward Egerton, Mr. Cardwell, Mr. Howes, Mr. Layard, Mr. Beresford-Hope, Mr. Arthur Russell, and Mr. Lowe:—Power to send for persons, papers, and records; Five to be the quorum.

CUSTOMS DUTIES (ISLE OF MAN) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to alter certain Duties of Customs in the Isle of Man.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Dodson, Mr. Hunt, and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 253.]

DUNDEE PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Sir Graham Montgomery, Bill to confirm certain Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the burgh of Dundee, *ordered* to be brought in by Sir Graham Montgomery and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 257.]

House adjourned at a quarter after Two o'clock.

* * *

HOUSE OF LORDS,

Tuesday, July 16, 1867.

MINUTES.]—Public Bills—*First Reading*—Prorogation of Parliament* (228); Turnpike Trusts Arrangements* (229); Representation of the People (227).

Committee—Merchant Shipping* (219); Patriotic Fund* (201).

Report—Offices and Oaths* (218); Inclosure (No. 2)* (65).

Third Reading—Transubstantiation, &c. Declaration Abolition (101); Trusts (Scotland)* (195), and *passed.*

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—(No. 227.)—(*The Earl of Derby.*)

FIRST READING.

Bill read 1ª; to be *printed.* (No. 227).

The Earl of DERBY: My Lords, I propose to fix the second reading for Monday next, and if the debate should terminate and the Bill be read a second time on that day, I should wish to appoint Friday for the Committee. Your Lordships, I am sure, would desire at this period of the Session that the Bill should be proceeded with without unnecessary delay. If the debate does not terminate on Monday, and if your Lordships are desirous that further time should be given, I shall be prepared to fix the Committee for the following Monday.

Earl GREY: I think it would be much more convenient if the Committee were fixed at once for Monday week; for I have reason to believe that the debate on the second reading will be by no means so short as the noble Earl seems to suppose. I do not intend to oppose the second reading, nor have I heard that any Member of your Lordships' House intends to do so; but it is my intention before the Bill is read a second time to move a Resolution, the purport of which will be to express the opinion of the House to show that the Bill requires considerable amendment. I cannot now give the precise words of this Resolution, but I have reason to believe that it will meet with considerable support. At all events, I am persuaded that the whole principle of a Bill of such importance ought to be discussed on the second reading, in order that we may be properly prepared to consider its details in Committee. It is necessary, moreover, that there should be some interval between the second reading and the Committee, because, until the opinion of the House has been indicated to a certain extent by the proceedings on the second reading, it is impossible for those who object to some of the provisions of the Bill to decide upon what Amendments they will propose. It is desirable that the House should not be in any uncertainty as to the date of the Committee, and I therefore trust the noble Earl will acquiesce in the propriety of at once fixing Monday week.

The Earl of DERBY: I can assure the noble Earl that I have not the slightest desire unduly to hasten the progress of the Bill, and I have already said that if the debate on the second reading should not terminate on Monday, I shall be ready, if it is thought more convenient, to defer the Committee till the following Monday. At present it would not be regular to do more than fix the second reading, but I can assure the noble Earl that I shall be glad to meet the general wish of your Lordships as to the time for taking the next stage.

Bill *ordered* to be read 2ª on *Monday* next.

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—(No. 101.)

(*The Earl of Kimberley.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Kimberley.*)

THE MARQUESS OF WESTMEATH said, that he had something more to say than "Not-Content" to the third reading. From a sense of duty, he felt bound to call attention to the way in which the reports were given by those who were engaged to do so. Their Lordships would remember several points to which he alluded the last time this Bill was under consideration, not one of which was given in the newspaper reports. There was one point in particular, which referred to the isolated position in which the Sovereign would be placed by the operation of the Bill, which it was material should appear, but which had been altogether omitted. He begged to observe in the outset, that many of their Lordships might believe that the reports of what passed in the House were generally pretty faithfully given by those who were appointed to record them. Nothing could be more fallacious than such an opinion. He had often read and heard, without saying a word to contradict it, that it was very extraordinary that the debates in Parliament were generally so accurately reported. It was said that there was such a diversity of speakers, and the difficulty of unravelling points upon which the speakers themselves were not clear was so great, that the manner in which the task of the reporter was executed was deserving of praise. He was well aware that many of the gentlemen filling the office of editor of newspapers were men of the highest attainments in literature, and admirably discharged the duties of their sphere. But there was a Jesuitical treachery in action in the reporters' gallery, with a view to the falsification of the reports. He had a voice which could be heard in every part of the House; he knew what he said was plain enough, and that he did say that the effect of the Bill would be to create a most invidious and insulting isolation as regarded the Sovereign. Not one single syllable which he said upon that point was given in any newspaper which he read. He would take, by way of example, *The Times* newspaper, which was supposed to give a faithful report of their proceedings. He knew it was a most admirably conducted journal in many respects, but not a syllable of what he had said on the point to which he alluded had been given in *The Times.* There was another subject also to which he referred—namely, a sermon which had been preached in one of the Roman Catholic chapels in Dublin, in which the audience were desired by the preacher to pray especially to the Virgin Mary, and to no one else, for this reason, that the Virgin Mary had been staunch to her Son in His sufferings upon the cross when His Father deserted Him, as was proved, said the preacher, by His having complained of the desertion. Now that opprobrious blasphemy had been enunciated in Dublin, and he adduced it as a proof of the soundness of the declaration which the noble Earl (the Earl of Kimberley) was anxious to do away with. Not a single word of that was given in *The Times* newspaper or any other newspaper he had seen. To show how base and how cowardly the proceeding was, he would state that every iota of the legal argument which the noble and learned Lord on the Woolsack in the execution of his duty delivered was given *seriatim.* So the reporters heard every word of that argument, and gave all the points, but not a word of any of the points to which he himself had called attention. Indeed, the reporter wound up with this observation—"The noble Marquess asked what was to become of his Motion?" And then was added, "Laughter." Now there was in "another place" a squad of persons told off to do the laughter, which was to carry weight with the public as an argument, and to put honest men, acting in the discharge of their duty, in a contemptible position. Such was the political *animus* which was shown in the reports of their Lordships' proceedings. It was almost a reproach to their Lordships that one of their number should have to adduce instances of this foul play, and that their Lordships should not devise some other method of having their debates reported. He had frequently, in former Sessions, mentioned to the Chairman of Committees instances of foul play on the part of those reporters, and his noble Friend's answer was that the reports were, all things considered, wonderfully well given. Well, he (the Marquess of Westmeath) admitted that; but he maintained, nevertheless, that there was a system carried on by the

Jesuits, and by the Ultramontane party, with the view of gaining people over to their faith, the object of which was to give false impressions of facts, incidents, and individuals to the public; and he thought that a person, feeling as he did, was justified in calling attention to the matter. He knew the machinery of Jesuitism; he knew the Ultramontane party, and what they were about; he had always denounced them, and would continue to denounce them. He cared not for their enmity, he despised their praise, and he would continue to do so. He had now proved his charge, and it was for their Lordships to consider whether something should not be done to put an end to the detestable and infernal system which he had brought under their notice.

On Question? *Resolved* in the *Affirmative*; Bill read 3ª accordingly, and *passed.*

LOCAL GOVERNMENT SUPPLEMENTAL (No. 5.) BILL—(No. 166.)

(*The Earl of Belmore.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Earl BEAUCHAMP said, that this Bill repealed in the Malvern Local Improvement Act of 1858 certain clauses inserted for his protection, without any notice given to himself. Now, he thought that persons whose rights were so affected should have full notice of the manner in which it was proposed to deal with their property. He should probably be told that there was a saving clause at the end of the Provisional Order, but he doubted whether that would be effectual; and he should move the postponement of the Bill for a fortnight, in order that an opportunity might be afforded to owners of the property affected to consider what steps they ought to take.

The Earl of BELMORE said, that this measure passed through the House of Commons as an unopposed Bill; but of course if the noble Earl thought that his rights were injuriously affected, he had a right to present a Petition and be heard by counsel against the Bill.

Lord REDESDALE suggested that as the Bill in that case must go before a Select Committee, the best course would be to discharge the Order and leave no day fixed for the consideration of the Bill.

Order *discharged.*

The Marquess of Westmeath

CONSTABULARY (IRELAND)—CASE OF SUB-CONSTABLE JENNINGS.

ADDRESS FOR PAPERS.

The Earl of LEITRIM *moved*—

That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to direct that there be laid on the Table of this House:

1. Copy of the Informations taken by the Justices of the Peace for the County of Leitrim against Sub-Constable Richard Jennings, stationed at Garvagh in the Barony of Mohill, for Perjury and for endeavouring to dissuade Hugh M'Castin from giving Evidence on the Trial of one Francis Cannon charged with an indictable Misdemeanor, and by soliciting him to leave the Country until his Trial would be over: Also,

2. Copy of the Report made to Her Majesty's Government; together with the Minutes of the Evidence given at the Trial of the above-mentioned Francis Cannon at the late Spring Assizes for the County of Leitrim: And also,

3. Copy of the Opinion of Her Majesty's Law Officers in Ireland upon the above Documents; together with such other Papers as Her Majesty's Government may think proper to lay upon the Table of this House, exhibiting the Reason why Her Majesty's Government do not take further Proceedings against the said Sub-Constable Jennings for the Crimes imputed to him.—(*The Lord Clements.*)

The Earl of DERBY said, he knew nothing of the facts of the case, but he would have inquiry made into it, and if the Papers could be properly produced, he should be ready to lay them on the table. It was, however, contrary to all practice to produce an Opinion of the Law Officers of the Crown. He would, if possible, produce all the information without such Opinion.

Motion (by Leave of the House) *withdrawn.*

PROROGATION OF PARLIAMENT BILL [H.L.]

A Bill to simplify the Forms of Prorogation during the Recess of Parliament—Was *presented* by The Lord Chancellor; read 1ª. (No. 228.)

House adjourned at Six o'clock
to Thursday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Tuesday, July 16, 1867.

MINUTES.]—New Writs Issued—*For* Gloucester County (Western Division), *v.* Sir John Rolt, knight, one of the Judges of the Court of Appeal in Chancery; *for* Andover, *v.* Sir John Burgess Karslake, knight, Attorney General; *for* Cambridge University, *v.* Charles Jasper Selwyn, esquire, Solicitor General; *for* Coventry, *v.* Morgan Treherne, esquire, deceased; *for* Birmingham, *v.* William Scholefield, esquire, deceased.

Public Bills—*Ordered*—Intestates' Widows and Children (Scotland)*; Sewage.*

Second Reading — Increase of the Episcopate [213].

Committee—Investment of Trust Funds [197].

Report—Hours of Labour Regulation* [63 & 258] (No. 443); Investment of Trust Funds [197 & 259].

Third Reading—Tests Abolition (Oxford and Cambridge) [16], and *passed.*

Withdrawn—Arrest for Debt Abolition (Ireland)* [110].

TELEGRAPHIC AND POSTAL SYSTEMS. QUESTION.

Mr. AKROYD said, he would beg to ask the Secretary to the Treasury, Whether the Postmaster General has taken any further steps towards the amalgamation of the Telegraphic and Postal systems of the country since the subject was brought under his notice in February last by the Association of Chambers of Commerce?

Mr. HUNT said, the Postmaster General had been unable to take any step, because an Act of Parliament was necessary for the purpose. As his right hon. Friend the Chancellor of the Exchequer had said yesterday, the subject was still under the consideration of the Government.

COMMODORE WISEMAN AND THE TURKISH NAVY.—QUESTION.

Mr. J. STUART MILL said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is true that Commodore Sir William Wiseman has been appointed head of the Naval Council to the Turkish Government, for the purpose of re-organizing the Turkish navy; if so, whether that Officer has previously retired from Her Majesty's service; and, if not, whether the lending of British Officers to the Porte for such a purpose, in the very crisis of the Cretan insurrection, is, in the opinion of Her Majesty's Government, consistent with their declared principle of non-intervention?

Lord STANLEY: In answer to the Question of the hon. Member I beg to state that when the sanction of Her Majesty's Goverment was given to a British officer being employed to assist in the re-organization of the Turkish navy—following a course for which there are various precedents—it was my belief that long before that appointment could take effect this Cretan business would have been settled one way or the other. As that is not the case, I have since that time agreed with my right hon. Friend at the head of the Admiralty and the Turkish Government that this appointment should not be cancelled, but suspended for a time.

Mr. J. STUART MILL: Am I to understand from the noble Lord's Answer that Sir William Wiseman will not proceed to Turkey and will not take any charge in this business as long as the hostilities continue?

Lord STANLEY: At any rate he will not proceed at present. The appointment has been suspended.

IRELAND—WEIGHTS AND MEASURES. QUESTION.

Sir COLMAN O'LOGHLEN asked the Chief Secretary for Ireland, with respect to the inspection of weights and measures in that part of the metropolitan district which is outside the limits of the jurisdiction of the Lord Mayor of Dublin, Whether he has received the Opinion of the Law Officers on the case which he promised to lay before them; and whether he does not consider that legislation will be necessary under the circumstances?

Lord NAAS said, it was the opinion of the Law Officers that legislation on this subject was necessary, and therefore a short Bill would be introduced.

THE CATTLE TRADE.—QUESTION.

Mr. DODSON said, he would beg to ask the Vice President of the Committee of Council, Whether there is any Act of Parliament or Order in Council which prescribes that no sheep, goats, swine, or horses shall be admitted to a Fair or Market without a licence, or removed from it without a pass, where such Fair or Market is one at which Cattle, as defined by the Order in Council of the 24th day of March, 1866, are not exposed for sale; and, whether local authorities have any power to require the use of such licences or passes for sheep, goats, swine, or horses in the case of Fairs or Markets at which Cattle are not exposed for sale; and, if so, what Act or Order in Council gives that power?

LORD ROBERT MONTAGU: Under section 3 of the Order in Council of November 7th, 1866, no "animal" can be admitted to a market without a store-stock licence, nor taken from it without a market pass; and "animal" is defined by the Order in Council of March 24th, 1864, to be "sheep, lambs, goats, and swine, as well as cattle." Yet sheep, lambs, goats, and swine may be sold in markets not licensed for the sale of cattle, in any county of England except Essex, and may be taken to and from each market without licence or pass.

MR. DODSON asked, Whether there was any power on the part of any local authorities to insist on the use of a store-stock licence or other pass, if animals, other than cattle, were sent to a fair or market not licensed for the sale of cattle?

LORD ROBERT MONTAGU: Not unless the market is licensed for the sale of cattle.

QUEEN ANNE'S BOUNTY-OFFICE.

QUESTION.

MR. BOUVERIE said, he would beg to ask the Secretary of State for the Home Department, Whether he will undertake that any appointments to be made in the Queen Anne's Bounty-Office shall be subject to any Recommendations which may be made to Parliament, and any legislation on the subject during the ensuing Session?

MR. GATHORNE HARDY said, he had not been aware that such Recommendations were probable; but as the right hon. Gentleman had directed attention to that subject the Government would give it their consideration.

IRELAND—TRINITY COLLEGE, DUBLIN.

QUESTION.

THE O'CONOR DON said, he would beg to ask the Chief Secretary for Ireland, When the Returns relating to Trinity College, Dublin, ordered on the 27th of June, will be presented to the House?

LORD NAAS said, the Returns should be presented as soon as possible.

Mr. Dodson

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN.

QUESTION.

MR. FAWCETT said, he would beg to ask the Secretary of State for India, Whether the expenses of the Ball about to be given to the Sultan at the India House are to be charged upon the Revenues of India; and further, to ask why, when an European Monarch visits this country, the only public State entertainment given to him is to be paid for by the people of India?

SIR STAFFORD NORTHCOTE said, that the Ball which the Secretary of State for India and the Council of India were about to give to the Sultan at the India Office would be paid for out of the Revenues of India. With regard to the second part of the hon. Gentleman's Question, he thought he had put his Question under circumstances of misapprehension. He (Sir Stafford Northcote) was reluctant in that House to refer unnecessarily to statements in the newspapers, but he could not help thinking that some misapprehension had arisen in consequence of the manner in which the proposed entertainment to the Sultan was announced in the newspapers. It was said that Her Majesty's Government had determined to give an official entertainment to the Sultan, and had delegated that duty to the Secretary of State for India, and that the charge was to be borne by the revenues of India, or something to that effect. Now, if Her Majesty's Government had done anything of that kind he thought they would have been open to the charge of something not very creditable to the hospitality of England, or perhaps not altogether creditable to the Government; and he could certainly say that if such a proposal had been made to the Council of India, the Council of India would not have acceded to it, but would have deemed it their duty to reject a proposal made in those terms. But that was not at all what had taken place. What had taken place was this—Her Majesty's Government had nothing to do with the origination of that matter in the first instance. Her Majesty's Government had made certain arrangements for the reception of the Sultan, and after those arrangements had been made, and after certain other arrangements had also been made with a view to the Sultan's visit, it occurred to him that it would be right for the Council of India, on the occasion of the visit of the Sultan and on that of the Viceroy of Egypt to this country, to make some manifestations of their obligations to those Sovereigns for the services they had rendered to India, and especially for the facilities they had afforded to our communications by sea and land, and also by way of telegraph, between England and India. Another consideration also weighed with him. The new India Office was almost ready for occupation, and it appeared to him desirable that they should, on an occasion of that sort, which naturally excited some interest in India, endeavour to show that the Government of India in this country was a separate and an existing institution; that it held a certain position here, and that it was treated with respect by those great potentates to whom many of our Mahomedan subjects in India, and also the Mahomedan Princes, Her Majesty's allies, looked with considerable respect. It, therefore, did occur to him that it would be very desirable that they should receive the Sultan and the Viceroy at their new office. He made that suggestion to the Council of India, and they entirely approved it. They felt, as he did, that there was no part of Her Majesty's dominions where greater sensitiveness would exist as to the mode in which the Sultan was received than among our Mahomedan subjects and Mahomedan allies; and they were anxious that honour should be done to those Sovereigns. With their consent he had requested his noble Friend the Secretary for Foreign Affairs to forward an invitation on their behalf to the Sultan. He had also sent a letter to Lord Derby, asking him whether he saw any objection to the adoption of the course proposed. Beyond Lord Derby's saying he saw no objection to such an invitation being sent, and his noble Friend the Foreign Secretary's undertaking to forward that invitation in the regular manner, this invitation had not proceeded in any way from the Government of this country, but simply from the Government of India; and he was bound to say that he did not think it was at all an improper way of spending a small portion of the revenues of India. He was perfectly aware that the occasion was one which would possess interest for members of the Mahomedan persuasion generally, especially for the Natives of India. The hon. Gentleman would remember the sort of feeling which existed during the late mutiny in that country, and how the Sultan was spoken of as a kind of national head of the Mahomedan religion; it, under those circumstances, appeared to him that it was desirable in the interests of our Indian Empire to treat him with becoming respect on his arrival among us, as he treated the Indian Government with respect by paying them the compliment of accepting their invitation. What had been done in the matter had been done purely on public grounds, and he was desirous that the invitation should be regarded as in no sense the act of the Imperial Government.

RAILWAY COMPANIES BILL.

QUESTION.

MR. DILLWYN said, he would beg to ask the Vice President of the Board of Trade, What is the present position of the "Railway Companies Bill," which has recently been reported on by a Select Committee; and, whether the Government propose to make any modifications therein at the instance of the parties, who object to the sale of insolvent Railways?

MR. STEPHEN CAVE said, the Bill had been read a second time in the House of Lords and referred to a Select Committee, who he believed were considering it at the present moment. He could not yet state what modifications they might suggest, but he had very little doubt that the Bill would come down in the course of a few days.

MEETING IN ROYAL PARKS BILL.

QUESTION.

MR. P. A. TAYLOR asked the Home Secretary, Whether this Bill was intended to be proceeded with; and, if so, when it would be taken?

MR. GATHORNE HARDY said, that he was not able to give the hon. Gentleman a definite answer; but he had put the Bill down for Thursday next, with a view of then fixing a day for going on with it.

THE NAVAL REVIEW.—QUESTION.

MOTION FOR ADJOURNMENT.

COLONEL GILPIN asked, Whether it had been finally determined that the proposed Naval Review was to take place tomorrow or not?

THE CHANCELLOR OF THE EXCHEQUER regretted to say that, in the absence of his right hon. Friend the First

Lord of the Admiralty, he could give the House no positive information on the subject. The Review, he believed, depended upon circumstances, over which the Government had no control. He begged to move, in anticipation of its coming off, that the House at its rising, do adjourn till Thursday.

Motion *agreed to.*

Moved, "That, on Thursday and Friday next, this House will meet at Twelve o'clock, subject to the Standing Orders relating to sittings of the House on Wednesday."—(*Mr. Chancellor of the Exchequer.*)

Mr. BOUVERIE said, it would appear that the House was about to adjourn over to-morrow for the purpose of being able to attend the Naval Review, without knowing whether that event would really take place or not. They were resolved, in other words, to have a day's holiday, without knowing whether the promised amusement would or would not be provided. Now he, for one, doubted the wisdom and propriety of the House of Commons, as a body, deciding to take a holiday with the object of having a day's enjoyment when there was a pressure of public business. That was altogether a new thing, and there was but one precedent for it in its history. He hoped the present occasion would be the last on which such a course would be taken, for it seemed to him to be one which was not consistent with the dignity of the House. The House of Commons was not part of the pageant of the country. It was the Sovereign whose duty it really was to display the State of this great nation. The House of Commons was no part and parcel of that State. They had their own proper duties to discharge, and it was no business of theirs to vote themselves a holiday under such circumstances. In speaking thus, he was, he feared, laying down an unpopular doctrine; but, be that as it might, it was at all events quite clear that the House were entitled to be informed whether there was to be a Review or not.

Lord STANLEY replied that the understanding on which the House was to adjourn till Thursday was that the Review should take place to-morrow. Of course the Government were not responsible for the state of the weather, and it was possible that such a state of the weather might arise as would make it undesirable to hold the Review.

Mr. SAMUDA intimated that it would be for the convenience of hon. Members that they should receive some definite information on the subject before the House broke up.

Motion *agreed to.*

LANDED ESTATES (IRELAND).

RESOLUTION.

Mr. O'BEIRNE, in rising to move an Address to Her Majesty, on the subject of a loan for the purchase and re-sale of landed estates in Ireland brought into the Landed Estates Court of Ireland, with the view to encourage and assist an independent proprietary of small freehold estates in that country, said, that he did not conceal from himself in the least the extreme importance of the task which he had undertaken, nor could he avoid an expression of regret that the question had not fallen into abler and more experienced hands. The social and political condition of Ireland had for many years occupied the attention, not alone of that House, but of the whole kingdom. It was a subject which had engaged the energies of their most profound thinkers, of their ablest writers, and it had presented to many Administrations a problem which he regretted to say still remained unsolved. Yet he believed that if that problem were only fairly and temperately taken in hand it would be found there was no real difficulty in its solution. For the last sixty-seven years Ireland had been in close union with England, and yet he found that no permanant, no wholesome result, had followed that union. Hon. Gentlemen might suppose that in arguing this question he was taking an extreme view. He wished to heaven that it was so. He wished that he could believe that that union had brought with it the advantages which he freely and cordially admitted it might have brought, but he maintained that its results amply proved that it had been a failure; and in saying this he wished to guard against its being understood that he desired any alteration whatever in the Act of Union. What he did desire was simply that the spirit, the letter and the principle of that union, should be closely adhered to, and that the feelings which governed the men who proposed it should be carried out in their integrity. But if those principles had been disregarded, and if, in consequence, the results of the union had, as he hoped to be able to show, been disastrous, not only to Ireland but to the United Kingdom, he did say that it was time for the Legislature of England to interfere to bring about a change in so unjust a state of things. The land question—that weary land question—had been for many years the leading thought of the Irish mind, and he did not think the House could feel much surprise that it should be so. One of the earliest acts of this country in connection with Ireland was an act of despoilment, by which a great bulk of the land was made to change hands; it was what was afterwards known as the Act of Settlement. From the date of that Act to the present day there could be no doubt that the people had felt that they had been robbed of their property. But there was an interval when the nation might seem to have been weaned from the ordinary nutriment of its discontent—he meant the brilliant period between 1782 and 1800. That was the period when Ireland enjoyed an unfettered legislation. The change that took place in these eighteen years was a striking one. In the years before 1712 the records of our country's history show that a course of legislation had been pursued towards Ireland which was highly discreditable. That great statesman, Mr. Pitt, in speaking of the relations which had prevailed between the two countries, said—

> "The object aimed at is to make Ireland completely subservient to the interests of England, and to draw all the profit and advantage that could be made out of the connection without taking a single step to develop the resources of the country."

In another year he used this language—

> "Ireland has long felt the narrow policy of Great Britain, which, founded on views of trade and commercial advantages, and inspired by selfish motives, has treated her with partiality and neglect, and never looked on her prosperity as that of the nation at large."

Similar language was adopted by Lord Grenville, Arthur Young, and many others. But what followed? As soon as the Irish people had achieved their independence through the manly efforts of the Volunteers of 1782, a time of prosperity ensued, which was described by Lord Plunket, than whom no man never lived who was better competent to estimate its full extent and effect, as one in which the trade and manufactures of Ireland flourished beyond those of any other country, and Lord Clare, in 1799, thus expressed himself—

> "No nation in the civilized world has advanced in cultivation, in trade, in agriculture and manufactures, with the same extraordinary and unexampled rapidity."

In the midst of this prosperity came the Union. He did not desire to dwell on the circumstances which led to that Union. He had no disposition to touch, except very lightly, on that dark page of our national history, which contained the facts connected with the annihilation by themselves of the Irish Parliament, unparalleled as that proceeding was in any history; but had the Union, such as it was, been carried out in a fair spirit, and measures passed that were calculated to cherish feelings of conciliation and harmony, he believed that large benefits might have been realized by both countries. That was not the case; it was a union of the strong with the weak; a union in name and not in reality—a union which deprived Ireland of her trade, and her people of employment, which threw her back on the land, and thus produced agrarian outrages, absenteeism, increased taxation, and disorganization of the people. More than that, it uprooted her nationality and paralyzed her industry, leaving her, after sixty-seven years, in a state which was a blot upon the escutcheon of the United Kingdom, and which cried aloud not only to that House, but to the Empire and to Europe generally, shame upon the legislation which permitted a large portion of our territories to be so governed, or rather to be occupied. I have no desire to dwell upon these painful passages, but it is absolutely necessary to advert to them in order to lead the House to think with me, as I hope it will be disposed to think, that land is really the cause of the serious disturbances which have been witnessed in Ireland at all times within the last century. With the exception of the interval between 1782 and 1800, the legislators of that period possessed a thorough understanding of the nature of the laws that were adapted to the country, as the result demonstrated, for they had produced an enormous and unparalleled increase in the social welfare and prosperity of the nation. From the period of 1800 to the present time many results of a different and less wise system, tending to the destruction of all our trade, were to be found as a natural consequence. The population, being without any occupation or employment, were forced to fall upon the soil for their food. What but outrages and violence could be the result of a struggle for the possession of land, which was, in fact, nothing but a struggle for existence?

Are we not called upon to deal with this particular question? If it be a fact that a large portion of the difficulties of the country do arise from the state of the land tenure, am I not justified in asking the House to consider that subject as at least one of the obstacles that stand in the way of the welfare of the country? If I am wrong in attributing the whole disorganization into which we are thrown to the state of the landlord and tenant question, no hon. Member, I am sure, will stand up in his place and contend that a large amount of misery and wrong is directly traceable to that particular source. If, then, the House agree with me that the land question is at the bottom of the evils with which we have to cope, it becomes us to look out for a remedy, and I ask Government to propose one? [The hon. Member here referred to the opinions of the late Sir Robert Peel, Mr. Daly, Mr. Goulburn, Sir George Lewis, Earl Kimberley, and others, in reference to the necessity for improved legislation upon the land question.] The next question to look at was the question of the capability and means of purchase. The average value of the landed estates which passed through the Incumbered Estates Court in each of the six years ending 1860 was £1,500,000. The deposits in the Irish banks were the best evidence of means to purchase, and he found that in 1859 they were £16,000,000, and were now about £14,000,000. The number of accounts at the banks not exceeding £500 each was 12,500; that of accounts not exceeding £1,000 was 3,600; and that of accounts not exceeding £1,500 was 2,000. It was unnecessary to debate the advantages of the small proprietary system; there was a host of authorities, and he need not quote more than one or two. The hon. Member for Westminster (Mr. Stuart Mill) in his able work, says—

> "Nothing can be done for Ireland without transforming her cottier tenantry into something else. Those who know neither Ireland nor any other country propose to transform them into hired labourers. I contend that the object should be to transform them, as far as possible, into landed proprietors, which would elevate them from a miserable and degraded condition into one of ease and comfort."

The example of Prussia, and the great change which at the beginning of this century transformed a people of poor downtrodden serfs into one of wealthy cultivators and formidable soldiers, was well known. That result was obtained by what we should consider a complete revolution, and a total sacrifice of rights of individuals, for the proprietors were required to abandon three-fourths of their property. But the consequence was, that the remaining fourth became so enormously increased in value as to be more than equal to the former value of the whole. To the opinion he had quoted he might add that of Sir M. Kaye, who declares that no country has yet exchanged her tenants-at-will for small proprietors without becoming suddenly and marvellously benefited by the change. He had now stated to the House the views with which he submitted the present Resolution. He regretted that the consideration of it came so late; but he felt so strongly its importance, and the greatness of the change it would work, that he hoped it would be seriously entertained, not only by the House, but by Her Majesty's Ministers. He felt deeply that the condition of Ireland was a disgrace to this country, and he asked how long this state of things was to continue? Let them not blind the subject. Ireland was full of discontent, of distrust, of dissatisfaction, as the Chancellor of the Exchequer said a few days ago, and there was but a very short step from dissatisfaction to disaffection. The noble Lord the Chief Secretary had a great power in his hands; he could apply a remedy to the poison that had so long acted upon the Irish nation, as to be almost historic; he could, by a bold, a broad, and an honourable policy, turn back wide-spreading disaffection; he could restore peace, prosperity, and happiness to that country; he could arrest the ever-increasing outflow of emigration, and be the means of establishing a state of things which would induce the capitalist to seek the Irish labour market, as a rich and tempting field for the increase of his wealth. Then, indeed, might they hope to see the people emerge from the depression—the serfdom—in which they had been so long plunged. That, Sir, would be a task worthy the abilities of the noble Lord. Its successful accomplishment would reach in its effects the full measure of his largest political ambition, and he would confer a lasting benefit upon the Empire at large, as well as upon that particular part of it which the special legislation he suggested would be intended to more directly apply. But to effect such a great and good end —to turn the wretched home of the Irish peasant into a comfortable and prosperous and a contented home—to instil into his mind the conviction that Imperial legislation meant Imperial justice, not British coercion—to lead him to estimate the advantages which the British Constitution was stated to extend to those who live within its influence, they must do more than fill the air with vague promises. Earnest, honest steps must be taken to grapple, and at once, with existing and admitted evils. The people must begin to feel that their wants, their comforts, their interests have found a place—that place to which they are entitled, in the legislative thought of the Empire; that impression, that conviction once firmly fixed in the minds of the people, you will find that when they feel their social emancipation is at hand, their hearts will vibrate with the best feelings of good subjects—itinerant preachers of sedition will find no home, no encouragement in the country; and they would have a living, widespread, eloquent example of the great political truth—

> "That although rebellion may be restrained by military power, or crushed by armed force, it is to justice, and justice alone, you must look for that only real safety of an Empire, the true and lasting loyalty of its people."

Motion made, and Question proposed,

> "That this House will, upon Monday next, resolve itself into a Committee, to consider an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to take into consideration the expediency of recommending to the House to grant a sum by way of loan, not exceeding one million sterling, to be employed in the purchase of estates which may be offered for sale in the Landed Estates Court in Ireland, such estates to be re-sold, in subdivided farms, of not less than ten or more than one hundred acres each to the occupying tenants of such estates; or in the event of the tenants declining to purchase, then to such other persons as may be willing to purchase the same in subdivided farms, the purpose being to assert and encourage an independent proprietary of small freehold estates in Ireland."—(*Mr. O'Beirne.*)

LORD NAAS said, the Motion had been on the Paper since the earlier portion of the Session, and, being preceded by one of considerable importance, he had not expected that it would be brought on that evening; he was not, therefore, without the statistics he should otherwise have produced, prepared to follow the hon. Gentleman at length into the subject to which he had referred. He should not think at any time of following the hon. Gentleman through his dissertation on the events which had taken place in Ireland since 1672. The hon. Member had enunciated many opinions which might be refuted and contradicted. He should not think of admitting that the Union of Ireland with this country had inflicted any misfortune upon the Irish. It would be easy to prove that the contrary was the case. The progress and prosperity of Ireland had—though not so rapid as in some other parts of the United Kingdom—been very great. There had been no decay consequent upon that Union; but such facts were rather for the historian than the House of Commons. Their duty was rather to examine into matters as they at present stood than to discuss the wisdom of the policy which had dictated the Union between the two countries. No sensible man would think of reversing that great settlement. He was not disposed to admit that, even of late years, there had been any falling off in the prosperity of Ireland. Though it was true that the progress made had not been so great as that which had been made in some portions of England and Scotland, it should be borne in mind that Ireland was purely and entirely an agricultural country. Hitherto she had been unable to establish manufactories like those which were to be seen through the breadth and length of England. They should therefore only compare the condition of Ireland with that of the districts of England to which mining and manufacturing operations had not extended. It would be found that, for the last thirty years, there had been a decided and continuous advance in the agricultural affairs of Ireland; and, if he had anticipated that this discussion would take place, he would have been able to bring down statistics to establish the truth of what he stated. From the nature of her soil and climate, industry was found more profitably employed in the breeding and rearing of cattle than in the cultivation of the land and the raising of cereal crops. Although there was still much to be done, nevertheless there were certain districts in Ireland which had improved as rapidly as any other agricultural districts in the United Kingdom. With reference to the proposal made by the hon. Gentleman, he wished to say a few words. That proposal was that the State should interfere and purchase large portions of land in Ireland for the purpose of re-selling it again to persons who might be inclined to buy it in small lots; but there was nothing in the present state of things in Ireland which would prevent that being done. The hon. Gentleman was mistaken when he said that the operation of the Landed Estates Court was to prevent small lots from coming into the market. Out of the 1,600 lots sold in the last two years, 460, or more than one quarter, were sold in lots of under 100 acres each. The total annual value of those 460 allotments might be put at something like £17,000 a year. Taking those lots at twenty-five years' purchase, a sum not far from £500,000 had been spent within the last two years in those small purchases. That fact proved that, if there were a real desire on the part of persons possessed of small capital to invest money in small lots of land, there was ample opportunity for them, at that moment, to do so. The duty of the Judges of the Landed Estates Court was to sell the land in the mode which would be most remunerative to the occupier. When there was a general desire on the part of capitalists to purchase small lots, the land sold in a most remunerative manner, so that, if an estate were set up for sale, and if it were shown to the Judges of the Encumbered Estates Court that, by dividing it into small lots, they would get a higher price, it would be their duty so to divide it. If, therefore, the process which the hon. Gentleman desired did not take place to a greater extent, it was not the fault of the law, or of the system; but because of the absence of a demand for that particular description of estates. It would be both impolitic and unwise to take so very serious a step as to interfere with the ordinary course of the land market in Ireland. The reason why small lots of land were not in more general demand was that there was an indisposition on the part of small capitalists to become small proprietors. He had himself put the question to people who held reasonably-sized farms of 150 acres, and who had a little money. He had been told by them that, if they bought lands, they would not get more than 4 or 4½ per cent for their money, while by employing their capital as tenant-farmers they would make 10 per cent. These persons were the best judges how they could most profitably employ a small capital. The reason why they did not buy small estates was that they could employ their money in a more profitable way. The question of the general advantage of a small proprietary had been discussed most ably—among others, by the hon. Member for Westminster (Mr. Stuart Mill). But statements and arguments of equal force and ability had been made in opposition to his theories; and it was very doubtful whether small farms were or were not best for the general interests of the country. This, however, might be said, that whatever led to such a minute subdivision of land as prevailed in Ireland in the early part of the century would inflict one of the greatest curses that could befall that country. The only thing that could reconcile a Statesman to the dreadful occurrences of 1845, 1846, and 1847 was that they had to so large an extent put an end to the system of letting land through middlemen, and to the practice of subdivision which had been such a curse to the country. If they looked back to the state of things that existed in the early part of the century, and afterwards during the famine, they would find that the small proprietors were in just as miserable a state as the persons who had land on lease. He could point to several cases where persons had squatted upon commons, and had obtained proprietary rights over farms of five and ten acres; just that class of proprietors whom the hon. Member would like to see multiplied in Ireland, who were described in books as of so much benefit to the country. From his own experience he could say that it was in the very district to which he referred that the horrors and miseries of the famine fell with the greatest force. Long before the effects of the famine fell upon those who had leases these unfortunate creatures were swept away. Their lands were bought up by small capitalists, were re-let in farms of twenty-five and thirty acres, and were now the most thriving portion of the district. He entreated the House to observe the danger of advocating any measure which would tend to the recurrence of such a system. Whether the object which the hon. Gentleman had in view were brought about by a loan from the Government, or by the exertions of private companies or associations, it would be difficult to obviate the results to which he had referred. In the neighbourhood of some towns, there was a tendency—although the Encumbered Estates Act had been so short a time in existence—to that extreme subdivision of land, which was so much to be deprecated. If the Irish gentlemen thought the plan advocated by the hon. Member was wise and good, there was nothing to prevent their trying the experiment. A small sum of money of about £2,000 would enable gentlemen who attached so much importance to small holdings to purchase land and re-sell it in small lots. The loss at first could not be large; even a gain might be made. Until some such experiment had been tried, and until hon. Gentlemen could point to its success, it was impossible to ask the House to entertain the question for a moment, or to interfere with the ordinary sale of land in Ireland. If the Government went into the market and bid against private proprietors for the purchase of land, it would throw everything into confusion. It was because he sincerely believed that the object which the hon. Gentleman had in view would not increase the prosperity of the country, but would rather discourage than promote it, that he was forced to say, on the part of the Government, that they could not accede to the Motion.

MR. POLLARD-URQUHART said, he regretted that so important a Motion should be brought forward in so thin a House, and in the third week in July, when it was impossible to secure proper attention to the subject. At present it was a matter of indifference to the tenant-farmers of Ireland whether their country was ruled by the Queen of England, the Emperor of the French, the United States, or "the Irish Republic." They felt sure that they could not be in a worse position than now whoever ruled them. But if some means were provided so that the farmers could become possessed of the soil and work it as their own, instead of on an uncertain tenure, they would want nothing. The most vital question for Ireland would be to form a larger occupying proprietary. The tenants ought to have the same facilities for purchasing land as they had in France. The noble Lord had spoken of the misery occasioned by too great a subdivision of land; doubtless this misery was felt among tenants holding small occupations at will, but it would not exist among small occupying proprietors. He hoped the question would on a future occasion be brought forward at an earlier period of the Session, when it would have a chance of being more fully considered that at the present moment.

Motion, by leave, *withdrawn.*

INCREASE OF THE EPISCOPATE BILL.—[*Lords.*]—[BILL 213.]

SECOND READING.

Order for Second Reading read.

SIR ROUNDELL PALMER said, he rose to move the second reading of this Bill. The Bill had been introduced into the other House by Lord Lyttelton, and had received much consideration from their Lordships. The Preamble of the measure recited that in 1847 a Royal Commission issued directing inquiry into the state of several bishoprics. In conformity with the Report of that Commission the bishoprics of St. Asaph and Bangor had been united, and the see of Manchester had been established. The Commissioners also recommended the establishment of three additional sees. It was proposed by this Bill to carry that recommendation into effect by subdividing some of the larger dioceses and authorizing the creation of the three new sees, if the necessary endowments were provided by voluntary contributions. The scheme for the establishment of each see was to be settled by the Ecclesiastical Commissioners. It was proposed that one of the sees should be created out of the county of Cornwall which should in that case be separated from the diocese of Exeter. That the second, Southwell, in Nottinghamshire, should be taken partly out of Lincoln, and partly out of Lichfield. That the third should be taken from Rochester and called the See of St. Albans. The consent of the existing Bishops of those dioceses would be necessary. It was also proposed by the Bill, as it had been sent down from the House of Lords, that the sees should be within the patronage of the Crown; that they should be so endowed that the new Bishops would, in point of income, be on an equality with the existing prelates; and that they should take their seats in the House of Peers according to seniority. In order that no increase might be made in the number of Bishops in the Upper House, there would under this arrangement be four junior Bishops instead of one as at present. In this the Bill followed the precedent made on the creation of the see of Manchester. None of the schemes for the creation of a new see authorized by this measure would be carried into effect until they had been laid before Parliament for six weeks and had not been objected to by either House. An Address to the Crown from either branch of the Legislature in opposition to any scheme for erecting a see under this Bill would be fatal to it. Exception had been taken to the last clause of the Bill, which, as it now stood, provided that it should not be lawful to apply for any of the purposes of the Bill any part of the common fund in the hands of the Ecclesiastical Commissioners until half the amount necessary for the endowment should be otherwise provided. That would seem to imply that if half the amount were voluntarily subscribed, the funds in the hands of the Ecclesiastical Commissioners might be resorted to for that purpose. That was no part of the original design. The point had raised much discussion in the House of Lords, and Lord Lyttelton, who had charge of the Bill, had opposed the addition to the clause of the words on which such an implication might be framed, and was not at all desirous of retaining it, as it at present stood. He did not propose to ask the House to pass the clause, and he should in Committee be prepared to consent to its omission from the Bill. After a careful examination of the existing Acts of Parliament he had come to the conclusion that the Ecclesiastical Commissioners would not, unless some measure were specially passed on the subject, have any power to contribute money out of the common fund for any such purpose. He did not think the law ought to be altered in this respect, unless a general review of the state of that fund were first made by Parliament. What prospect there might be of obtaining large voluntary subscriptions was of course best known to the benevolent and zealous Churchmen who had promoted this measure. If no subscriptions were forthcoming, the Bill could not possibly do any harm. If, on the other hand, the liberality and zeal of Churchmen should take such a direction, the present measure would enable that liberality and zeal to be exercised for the benefit of the Church. He might express his belief that no hon. Members who were Nonconformists would, as long as their own rights were not interfered with, offer any objection to an extension of the Church of England which might be for the benefit of the members of that Church. The dioceses in this country were far too large, and many persons of high authority had been of opinion that if the means were forthcoming their number ought to be considerably increased. So far back as the reign of Henry VIII., it had been proposed to make a large increase in the number of sees; but the proposal was then only carried out to a limited extent. Since that time the population of the country, and the number of members of the Established Church, had enormously increased, and yet during that time the episcopate had only been increased by the addition of one Bishop — that of Manchester: the creation of the new See of Ripon being balanced by the union of the old See of Bristol with Gloucester. As to the particular dioceses out of which the new sees were proposed to be taken, the diocese of Exeter, out of which it was proposed to take Cornwall, was of vast extent, and contained a population of nearly 1,000,000 souls. It contained 2,225,728 acres. It was 150 miles in length. The nearest part of the county was forty miles from Exeter, and the farthest part 150 miles. The office of the episcopate could not be adequately performed in such a diocese. With regard to Lincoln, out of which it was proposed to take part of Southwell, the right rev. Prelate who now presided over that diocese had some years ago expressed his opinion that its subdivision was much to be desired. It contained 822 parishes or ecclesiastical districts, 612 of which were situate in Lincolnshire, and 210 in Nottinghamshire. In such an immense diocese it was impossible for the Bishop to exercise his functions in a satisfactory manner, and one result had been that in the diocese of Lincoln confirmations were much less frequent than they ought to be. The Bishop had stated that, if he were to attempt to preach on a single Sunday in each church of his diocese, it would take him no less than fifteen years to do so. The diocese of St. Albans was proposed to be taken from those of Rochester and London, the two latter having grown to a very large extent in consequence of the great increase of population. The diocese of Rochester had become one of the most populous in the country in consequence of the great increase of population that had taken place in those parts now added to it, which were situate in the metropolis. Experience had shown that wherever a new see had been founded pious and charitable donations had greatly augmented. This had been the result in Ripon and Manchester. Within sixteen years from the foundation of the first of those sees £500,000 sterling had been raised by voluntary subscription, and expended in the erection and endowment of churches, parsonages, and schools. In the see of Manchester similar results had followed its establishment. Many men of eminence had advocated an increase of the episcopate. Dr. Arnold wrote in 1833 that, in order to any efficient and comprehensive Church system, the first thing necessary was to divide the actual dioceses. In 1850, a debate arose respecting a Bill which related to the Ecclesiastical Commission, and his right hon.

Friend the Member for South Lancashire (Mr. Gladstone) made a Motion with the object of enabling new bishoprics to be founded and endowed partly by voluntary subscriptions and partly out of the funds of the Commission. According to the proposal then made by his right hon. Friend, the holders of such bishoprics were to have smaller stipends than the other Bishops, and were not to sit in the House of Lords. Lord John Russell then expressed himself adverse to the establishment of an inferior class of Bishops, as being likely to lead, in the result, to the reduction of the incomes of the existing Bishops, and to their exclusion also from the House of Lords, which he thought would go far to sever the connection between Church and State. The present Bill, in the shape in which it had come down from the other House, was in accordance with the views then expressed by Lord John Russell. In the year 1852 the Government of Lord Derby appointed a Commission to pursue the inquiry, left incomplete by the former Commissioners, into the state of the cathedrals. They made two Reports. The first strongly recommended the formation of a bishopric in Cornwall. An offer had, at that time, been made by Dr. Walker to endow the see, if established immediately, with an income of £1,600 a year: and the consequence of the neglect, at that time, of the recommendation of the Commissioners was, that the benefit of this munificent benefaction was lost to the Church. In their final Report the Commissioners recommended the formation of four new bishoprics, three of which coincided with the three new sees of the present Bill. The scheme had been supported by a great weight of argument, and that not from any special party in the Church. Bishop Villiers, and Bishop Sumner, Dr. Arnold, Lord John Russell, all supported this extension of the episcopate, as well as many others who entertained different views of Church matters. Seeing, then, that the measure proposed to deal with no public fund, and that nothing could be done if either House of Parliament objected, he trusted that the Bill might be allowed to pass. The clause relating to assistance from funds under the control of the Ecclesiastical Commissioners, which was objected to by a large and influential minority in the Lords, he gave up. Another clause, moved by Earl Grey, for appointing coadjutor bishops in large dioceses, or where the bishops were incapacitated by age or infirmity, he did not propose to re-introduce. The measure was one so entirely permissive in its provisions that the House, he thought, could not deem it in any degree dangerous, or object to its adoption. In the House of Lords it had received, in its main provisions, a very general concurrence and support from men of all opinions and all parties. The Bill simply asked the House to enable the liberality of private Churchmen in England, if so disposed, to accomplish that object of creating three new dioceses in those populous parts of the kingdom where they were earnestly asked for and most urgently needed. To the particular provisions of the Bill, as they now stood, on points as to which differences of opinion might fairly arise, he was not in any manner wedded; and, if any Amendments should be proposed, he should be perfectly prepared to give them the most candid consideration, and to accept them, if they recommended themselves to the general sense of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Roundell Palmer.*)

MR. GILPIN said, he was anxious to learn from Her Majesty's Government how far, if that Bill were read a second time, they would consent to the withdrawal of the 12th clause, to which he had a decided objection? In considering the measure the question naturally arose, had they not Bishops enough already? He was willing that the Church should judge for herself whether she had Bishops enough so long as, in the first place, no fund in the hands of the Ecclesiastical Commissioners, or any other national fund was drawn upon for their support; and, in the second, that there was no re-affirming of the principle which assuredly in a new Parliament would be brought forward for settlement—namely, as to the right and the desirableness of Bishops having seats in the House of Lords. But had they not Bishops enough already? On that point he would give a few statistics. In Ireland they had twelve Bishops, in our colonies and dependencies forty-three, and in England and Wales twenty-seven. How, according to the last Census, was the population divided between the different religious denominations? In England and Wales in round numbers there belonged to the Established Church 10,000,000; to the various Protestant, Nonconformist, and Presbyterian bodies 9,000,000; and

1,000,000 of Roman Catholics. But, including Scotland and Ireland, they had a gross total for the United Kingdom of 10,738,000 persons belonging to the Established Episcopal Church; 12,345,000 Protestant Nonconformists and Presbyterians; and 5,740,000 Roman Catholics. The question of the Irish Church must be brought before the House at a very early day. If there were not Bishops enough, why give Bishops political duties to withdraw them from the religious duties for which they were originally appointed? He understood that it was proposed to raise something like £500,000 for the establishment of those three bishoprics. Heartrending appeals were frequently made to Dissenters as well as Churchmen on behalf of poor hard-worked clergymen of the Established Church. He held in his hand a Circular issued by the friends of the Clergy Corporation, in which the cases of some of these poor clergymen was thus described—

> "A curate twenty-four years in holy orders; total income £90 per annum. He writes, 'Upon this nine of us (myself, wife, and seven children) have to live. For the last fifteen months sickness (requiring medical aid) has not been out of my house.' . . . . 'For the last six weeks we have scarcely tasted animal food, our chief support being bread, and as for clothes my children will very soon not be able to enter the House of God for want of them.—A curate, with wife and six children; income £80 per annum, applies at a time of much sickness.—A curate, wife and three sick children; stipend £80 per annum.—A curate, married, with large family; income £70 per annum.—A clergyman, income £80 per annum, wife and eight children, five dependent. 'I am in great distress from the inadequacy of my income to support myself and family.'—A curate, wife and five children, all dependent; income £95 per annum. 'For weeks together we have not been able to procure more than bread for our little ones, and some days not even that; and had it not been for occasional little presents of meat, &c., hunger itself would have been frequently felt in our home.'—A curate, eighteen years in holy orders. 'I have a wife, and eight children to maintain and educate out of a salary of £90 a year, my stipend being far too small to procure us the commonest necessaries of life.'"

These harrowing accounts might be multiplied a hundredfold. He would not say that these clergymen of the Church were asking for bread and that the Bill proposed to give them a stone; still, here was an appeal for charity; and could they reply, "We admit all this distress; take half a million and spend it in Bishops?" But the £500,000 spoken of was for Bishops pure and simple. But if they had Bishops there must be palaces, and cathedrals, and registrars, and other officers. His hon. and learned Friend said he was willing to withdraw the 12th clause empowering the Ecclesiastical Commissioners to give the second half of the cost of a bishopric when the first half had been supplied by voluntary contributions. It was well, for the House would never have agreed to such a clause. As to the question of re-affirming the propriety of the Bishops sitting in the other House of Parliament, it was proposed by this Bill not that the number of Bishops having seats there should be increased, but that the newly-created Bishops should enjoy the privilege in turn. The words of a Dissenter on the subject would probably be considered entitled to small weight, but in a pamphlet which had been published in 1836, Lord Henley, the father of his noble Colleague, who was a really earnest and conscientious Churchman, had laid it down as his opinion that the real influence of the Church in the councils of the nation and the security of her endowments did not depend on the votes or the speeches of a small number of representatives in the Upper House, but upon the affections of the people and her faithfulness in the discharge of her great trust; and that, so far from being rendered weaker, she would be strengthened by the severance of the unnatural alliance which a Parliamentary peerage implied in the case of her Bishops between the kingdom of Christ and the kingdom of this world. His Lordship said—

> "The removal of the Bishops from the House of Lords would do more to advance the interests of true religion, than any measure which had been adopted since the period of the Reformation."

And this was no new question. In February, 1837, a direct Motion was made in the House of Commons that the sitting of Bishops in Parliament was unfavourable to the Christian religion of this country, and tended to alienate the affections of the people from the Established Church. That Motion was moved by a Churchman, seconded by a Churchman, and supported to a large extent by Churchmen. In a House of 190 Members 90 voted for it, and in the minority he found recorded the names of C. Lushington, H. A. Aglionby, E. Baines, J. Brotherton, Charles Buller, William Clay, William Ewart, Daniel O'Connell, Benjamin Hall, Joseph Hume, Sir William Molesworth, Mark Phillips, J. Scholefield, Colonel Thompson, and C. P. Villiers. There was a great mass of ignorance and impiety and wickedness which it should be the object of all religious men to lessen, and if possible to put an end to; in such a work he should be ready to help his hon. and learned Friend. But he must respectfully submit to the House that the £500,000 which it was proposed to expend in the creation of new bishoprics might be more usefully employed in relieving the distress which so largely prevailed among the hard-working clergy, and promoting in that way the interests of Christianity. He begged to move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Gilpin.*)

MR. HADFIELD said, that the salaries of the new bishops were not to exceed the minimum salary of the existing Bench. But the House had not been informed what that minimum was. The Bishop of Sodor and Man was badly off at £2,000. Other bishops received £4,000, while the majority received £5,000 or more per annum as income. How was the proposed income to be raised, and what was the amount they were to give the new bishops? Was it to be £5,000, or £10,000, or £15,000 a year? One most reverend Prelate, on a salary of £15,000 a year, had thought fit to vote that the great proportion of the proposed income should arise from properties that belonged to the working clergy of the country. It was said that curates were hard to be found now-a-days; and who could wonder that it should be so? How were they to suppose that men of piety, and learning, and high character would enter the Church when such miserable stipends were offered them? A noble Lord had said that it ought to make the cheeks of the higher clergy blush when they remembered that some of the best men in the land—men of eminent talent, piety, education, and everything that could give dignity to the human character—were receiving, as curates of the Church of England, salaries smaller than what the grandees were in the habit of paying to their butlers and hired servants. And now they were asked to increase the number of bishops. Why did they not call the Irish Bishops into their service? In that country they had two Archbishops and ten Bishops to minister to the wants of 678,661 persons in that country—less than one-eighth of the whole population. What was the characteristic of the English Bishops? It was this—that they completely ignored every denomination except their own. There was another established Church—that of Scotland. But what communication was there between the Church of England and that of Scotland? If they worshipped different deities they could not be more widely cut off from each other. On a late occasion he met the chaplain of Her Majesty when she was in Scotland—Dr. M'Leod—a divine of the first character. What was his position in England? He was an alien, and was not admitted into any of the pulpits of the Established Church. Dr. M'Leod expressed his displeasure at this in his hearing; and declared that if he could not go into the pulpits of the Established Church he would go into those of other denominations that were open to him. He accepted the offers of the pulpits of Nonconformists, which were opened to him willingly. When the Bishop of London crossed the Tweed he had to leave his mitre behind him, for he never dared to enter the pulpit of a Presbyterian church. These were anomalies which a Reformed Parliament would put an end to. He also objected to the Bill that it proposed to perpetuate the system of allowing prelates to sit in the House of Lords, a system which the people, he believed, would unite before long to put an end to, and would compel the most reverend and right reverend Gentlemen to leave the Upper House. He therefore should second the Amendment.

MR. GATHORNE HARDY said, that as the hon. Member for Northampton had called on the Government to state what course they intended to take with regard to the present Bill, he had no hesitation in replying that he could not understand how it was possible for the Government to oppose the proposal to allow people to subscribe their money for purposes connected with the Church to which they belonged. He could not imagine why the hon. Member should think that the voluntary principle so entirely belonged to the Nonconformists that the Church of England must not be indulged with the exercise of the least portion of it. The hon. Member for Sheffield had given one of the most extraordinary lectures ever uttered on religious liberty, and had intimated that the next Parliament would force a clergyman of one denomination into the pulpit of a clergyman belonging to another denomination. No doubt Dr. M'Leod was a most learned and pious man; but it would be better to leave each denomination its own clergymen, and Dr. M'Leod would never fail to have many pulpits to discourse from, and large congregations to listen to him. He was sure that the denomination to which Dr. M'Leod belonged would be greatly surprised if the hon. Member for Sheffield, by any sort of process, were to force a prelate of any other church into the pulpit occupied by Dr. M'Leod. It had been said by the hon. Gentleman that in a future Parliament the question of the Bishops sitting in the House of Lords would have to be debated. It was not his intention to enter into that question now, but there was no evidence of the fulfilment of the predictions which were uttered when the subject was under discussion thirty years ago, when it was said that the consequence of such a system must be the decay of the Church and the destruction of her influence. On the contrary, it had been clearly shown, by the documents read by his hon. and learned Friend opposite, that in the dioceses of Ripon, Manchester, London, and elsewhere, the Church had been making wide and rapid progress. The documents which had been read showed that voluntary efforts on the part of the Church had enabled her to strengthen her position, and to spread the truth abroad more widely. When the hon. Member for Northampton read those accounts of the distress of clergymen, he must observe that such statements were not confined to the Established Church. They were true of many ministers among Nonconformists themselves. But, because some persons were in destitute circumstances, was that to prevent those who thought fit from applying their money in this direction, especially when they believed that, by this very process—by establishing these bishoprics and forming new centres, around which the clergy might gather themselves, they might diminish the poverty of those very curates who were represented as so distressed? A movement had been going on, which had already met with large success, for increasing the stipends of curates by voluntary efforts. But because destitution and distress existed in parts of the metropolis, were hon. Members and other gentlemen not to subscribe their money for any other purpose than for its relief? His hon. Friend the Member for Sheffield gave largely of his means on many occasions; but, because he had subscribed for the erection of a great building for the benefit of the community in which he was interested, was that a reason why anyone should turn round and say because he had contributed largely for that purpose he would be induced to contribute to no other object? This Bill did not trench on the rights of any one. It did no wrong to Nonconformists. It only showed the way that Churchmen might contribute their money for a particular purpose. So far, therefore, as he was concerned, and he also spoke for the Government, he should give it his most hearty support.

Mr. AYRTON said, he wished to call the attention of the right hon. Gentleman to the fact that he had not answered the question which had been asked by the hon. Member for Northampton, whether the Government would assent to the omission of the particular clause referred to?

Mr. GATHORNE HARDY said, he was prepared to assent to the exclusion of that clause.

Mr. AYRTON said, he was a warm supporter of the Church of England, so far as rendering its ministrations as efficient as possible among the great mass of the people. But he was afraid a great mistake was often made on this subject by confounding the interests of the parson with those of religion. The former excited eager interest; the latter too often were treated with lukewarmness, if not with coolness and indifference. When there was so much and such severe spiritual destitution throughout the country, it was a great misfortune that large subscriptions should be raised for the endowment of Bishops and dignified clergy. He objected to this Bill because it was premature and unnecessary. The Bill had been drawn with consummate art. It must have proceeded from the hands, not of a layman, but of an astute ecclesiastic. Had it proceeded from the hands of a layman who seriously and heartily intended that the Bill should take effect on the voluntary system it would have said, "When and so soon as a certain sum should have been collected for the endowment of three bishoprics"—stating, probably, the amount necessary—"then, and not till then, should the authority invoked set them up." Instead of that, the Bill proceeded at once and absolutely to invest the Ecclesiastical Commissioners with power to erect these bishoprics. The real intention was to establish the bishoprics in the first instance, and then see how they were to be dealt with after. The power to erect the bishoprics was absolute. When they had the Bishops then would come the endowment; and with the Bishop would come his accessories. There was no provision for endowing the accessories of a bishopric. The Bishop was only the beginning of the expense. He must have his dean and chapter, his dignified clergy, and the expenses attendant on the cathedral services. Undoubtedly, in the result, the funds for these expenses would be provided by the Ecclesiastical Commissioners—not, perhaps, directly, but by that system of ecclesiastical circumvention which attains the end as effectually. In this way a large portion of the funds of the Church would be perverted from other pressing demands. The Bishop of London, the very best Bishop on the Bench, was only able to defend these arrangements by saying that such situations were necessary to attract men of learning to the Church, who would otherwise engage in secular professions. But was the Church to enter the lists in this manner with the other professions, and compete with the law and with physic for the favour of mercenary men? What security could they have that the Ecclesiastical Commissioners would not misappropriate, as he should call it, the funds for the purposes contemplated by the Bill? At least it should be provided that no bishopric should be established until enough had been subscribed, not only to endow it, but also to meet the expenses of all the dignities with which the Bishops loved to surround themselves at the cost of their religious position. For he contended that whatever came in the train of that temporal dignity with which the Bishops of the Church of England surrounded themselves was at the expense of their religious position. Before any action was taken to establish these bishoprics, the full endowment for Bishops, deans, chapters, and the whole administration of the cathedrals should be subscribed. It had been said that Bishops should not sit in the House of Lords. He thought it a great misfortune that so many of them should sit there—so many more than were necessary for the purpose of instructing the other House in the doctrines of religion and morality. A fair allowance ought, undoubtedly, to be made to the other House for this object; but he was satisfied that the great majority of the Episcopal Bench would be far better occupied in their dioceses than in attending the deliberations of the other House. It was a misfortune for the Church, and a misfortune to the cause of religion, that the Bishops should be temporal peers. The result of the pomp and dignities that surrounded them was expressed in the proverbial saying, that a man or a woman full of pride was as proud as a Bishop, or as proud as a Bishop's wife. If they had more confidence in their religious position and influence, and depended less upon the temporal dignities of their office, the people of England would be more ready to submit to their authority and attend to their instruction. In other countries Bishops were remarkable for their humility and unostentation, and exercised an enormous influence. He recollected that when the Roman Catholic Bishop of Bombay was asked by the Government what allowance he required, he replied that he could live on 2*s.* or 4*s.* a day, and that he did not ask for more. He protested against the notion expressed in this Bill that it was indispensable for an English Bishop, no matter what the purity of his life or the holiness of his teaching, that he should be a temporal peer and should live in a palace on £4,000 a year. The right hon. Gentleman seemed to think that episcopacy was bound up with the British Constitution, because when that Constitution was subverted Bishops fell with it. But the fact was that Bishops sat in the House of Lords not *qua* Bishops, but by tenure of the lands with which they were endowed by the Sovereign. It would be infringing the Constitution, therefore, for Bishops endowed by public subscription to sit in Parliament. Having no tenure they had no right to sit in the Upper House. The object of legislation should be to make the Church of England useful and efficient—the Church of the people, and to provide for those who could not otherwise obtain religious instruction. It was to be regretted that it was so largely the Church of the upper classes, who used it for their own profit. He objected to this Bill as a flagrant attempt to encourage the expenditure of money in a wrong direction.

Mr. J. A. SMITH said, he had no doubt that there was a great want of spiritual supervision in some of the dioceses, but there were certain matters connected with the Bill to which he wished to direct the attention of the House. He acknowledged the value of the voluntary principle recommended by the Bill, but thought some allusion ought to have been made on the present occasion to that very remarkable case in regard to voluntary contributions which last year attracted so much attention. A lady devoted a very large sum of money to the establishment of three Colonial bishoprics in connection with the Church of England. The officers of the Crown who drew up the Letters Patent, when sitting as Judges of Appeal, condemned the course they themselves had taken, and declared that the Government had not the power to carry out the proposal. The money would consequently be expended for a totally different object. Such a misapplication of funds would certainly make people hesitate to subscribe for the three proposed bishoprics unless they were assured that a like miserable failure was guarded against. As to the presence of Bishops in the House of Lords, he differed from the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), for he thought it very important that there should be some means of getting at the authorities of the Church when there was any subject of complaint. He thought that their presence there formed a very useful safeguard against abuses by the clergy, because their presence afforded an easy means of bringing to their notice any cases of misconduct on the part of the inferior clergy. He was of opinion that the indiscriminate appointment of suffragan Bishops would be a great evil, because it might tend to render the episcopal order so large as to be exceedingly inconvenient. He supported the second reading of the Bill because it provided a more efficient system of ecclesiastical superintendence, which was absolutely necessary. He approved particularly the division of the diocese of Exeter, which was absolutely indispensable for the religious interests of that district.

Mr. KINNAIRD said, that although two hon. Members who had spoken against the Bill were Nonconformists, the right hon. Gentleman (Mr. Gathorne Hardy) was mistaken in saying that all parties in the Church were in favour of it. He belonged to the Church of England, and there was a large party in it who doubted the desirability of extending the episcopate. The Episcopal Bench was on its trial. At a time when the equanimity of the Church was disturbed people naturally looked to the Bishops to exercise some power and restore peace. But they had been entirely wanting in this respect, so that this was not a happy moment at which to propose additional Bishops. Moreover, facilities of locomotion now enabled Prelates to visit every part of their dioceses. If, instead of attending the Upper House, they resided more in them, the difficulties as to confirmations to which the right hon. Gentleman had adverted would be materially lessened.

Mr. HENLEY said, he was glad that the hon. and learned Gentleman proposed to withdraw the 12th clause, which, if retained, would have made the Bill extremely objectionable. The Bill was very queerly drawn, and the Title and Preamble seemed to express more than its enacting clauses. He did not see what objection any one could have to the creation of the Bishops specified, who were to be provided for by subscription. With regard to that part of the Bill which had been omitted in its passage through the other House, and which related to suffragan Bishops, it was a matter of grave consideration whether they ought not to restore it. Hon. Members would recollect a curious Act of Parliament, which he confessed was the only thing which made him have any doubts with respect to Bills of this sort. The Act to which he referred, called the Episcopal Functions Act, provided that under certain circumstances one Bishop might do the work of two dioceses. He did what he could to make Parliament draw the teeth of the Bill on that subject, and the noble Lord below him and himself succeeded in drawing one of the teeth applying to cases of mental incapacity. In all the researches which he had made he did not find that a single word was said on the subject in "another place." If it was true that one Bishop could do the work of two dioceses, it was very difficult to understand what was said in the other direction. He hoped the hon. and learned Gentleman, when they went into Committee, would see how far the old statute of Henry VIII., providing for the creation of suffragan Bishops, might not be brought into play, so as to save people from coming to Parliament for such Bills as this. He did not see why a Bishop might not have a suffragan to assist him just as one clergyman might avail himself of the aid of another.

Mr. Alderman LUSK said, he objected to any measure which increased the power of the Church of England. As a Protestant Dissenter, and one of a body who maintained their own ministry by their voluntary contributions, he saw no reason why when the Church wanted anything it should come to Parliament for an Act. He objected to anything which increased the predominance of the Church. He had no objection to Churchmen applying their funds to the support of the Church, but contended that they ought to do so without seeking the aid of Parliament to increase its power, especially when they found that the Bishops were powerless to compel the clergymen to abandon practices which many of them, in common with a large portion of the laity, condemned. He trusted that the Bill would be withdrawn.

MR. NEWDEGATE said, that the difficulty pointed out by the hon. Member for Chichester (Mr. J. A. Smith), of a misappropriation of funds contributed, arising from a defect in the law, was a very grave discouragement. He should vote for the second reading of the Bill in the hope that the larger questions of ecclesiastical jurisdiction and ecclesiastical law generally might be revised, and that the regulations of the Church of England might be so improved as to prevent the possibility of any misappropriation of funds.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 45; Noes 34: Majority 11.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

INVESTMENT OF TRUST FUNDS BILL.

(*Mr. Henry B. Sheridan, Mr. Ayrton.*)

[BILL 197.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 *negatived.*

MR. KARSLAKE moved the insertion of a new clause empowering Trustees to invest Trust Funds in any Securities guaranteed by Parliament.

MR. WALPOLE said, that the clause would enable trust investments to be made, not only upon securities now guaranteed, but hereafter to be guaranteed by Parliament, and some of these might possibly not be fit subjects for such investments.

SIR ROUNDELL PALMER said, that the guarantee of Parliament really made any security a Parliamentary security. Of course it was the home Parliament which was referred to in the clause, not any colonial legislature. He could not conceive how such a security would be inferior to any of the public stocks or funds. He believed it would be quite safe to agree to the clause. It was not likely that the Imperial guarantee would be given to any loan bearing a high rate of interest. He did not see either that the interests of the remainderman would be injured, or those of the tenant for life unduly promoted.

Clause *agreed to* and *added* to the Bill.

MR. NORWOOD said, he moved a clause to enable Trustees to invest any Trust fund on the Mortgage of County, City, or Borough Rates, assessed pursuant to Act of Parliament, in any case where such an investment was not forbidden by the instruments creating the trust. County, City, or Borough Rates levied pursuant to Act of Parliament formed a safe and ample security for the advancement of money, and the purposes for which such rates were raised being of a beneficial character, he thought that every assistance and facility should be afforded to communities to raise money in that way.

MR. SHERIDAN said, the Bill, as he had introduced it, was intended to be simply declaratory, and not enacting, and the clause just proposed would travel beyond that intention.

SIR ROUNDELL PALMER said, that such securities as these were liable to deterioration. Some corporations had become insolvent, others had assumed a power to raise money on charges or rates, which power had been held by Courts of Equity to be invalid. It would not therefore, be safe to allow these investments.

MR. HADFIELD said, he cordially approved of the proposed clause, which would have the effect of lessening the great difficulty frequently felt by trustees in finding good security at good interest for the funds which they wished to invest.

Clause *negatived.*

Bill *reported;* as amended, to be considered upon Thursday, and to be printed. [Bill 259.]

TESTS ABOLITION (OXFORD AND CAMBRIDGE) BILL—[BILL 16.]

(*Mr. Coleridge, Mr. Grant Duff.*)

THIRD READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [18th June], "That the Bill be now read the third time."

Question again proposed.

Debate *resumed.*

SIR MICHAEL HICKS-BEACH said, he rose for the purpose of moving that the Bill be read a third time that day three months. Since the second reading the Bill had been considerably altered. Not only had its provisions been extended to Cambridge; but the fact that the Amendments proposed by the right hon. Gentleman the Member for the University of Oxford had been rejected in Committee left no other course open than to make the Motion he proposed. The present arrangements could not be regarded as inflicting any hardships upon Churchmen, because if they could not subscribe to the Thirty-nine Articles, or objected to any portion of the Prayer-book, it would be better for them to leave the Church than remain in her communion under false colours. Therefore, he considered the question only so far as it related to Dissenters. When the Bill was first brought in by the Member for East Sussex (Mr. Dodson) that hon. Gentleman advocated it as a measure of very limited scope, professing his readiness to consider in Committee the omission even of that important part of it which conferred the Parliamentary vote on Dissenters; but the hon. and learned Member for Exeter (Mr. Coleridge) had boldly stated that the principle of his measure was to separate the University from the Colleges, to throw the University open to the nation, and to get rid of the connection between the University, considered apart from the Colleges and the Church of England. It was distinctly avowed that what was wished was to abolish the connection between the University and the Church, and to make the University what was called a national University. The question was not one of education, for Dissenters had the same privilege in that respect as any other Englishmen. It was who was to have the control of those who were receiving their education at the Universities. If every one in England could be educated at the Universities, he did not see how a national character could be given to their government, as they were not maintained by the taxation of the country, and could not, therefore, be under the immediate control of Parliament. Therefore there was no ground for saying that they ought to be national in the sense of being governed by the nation. The Universities were composed almost entirely of Colleges, which were almost universally private foundations. It was only at the Reformation, and since then by the Act of Parliament which followed the Report of the Commissioners, that they were considered in any way as national property. But whatever the religious teaching of the Colleges had been, the religious teaching of the Universities had been the same. If they abolished these tests they made the University, as a body, declare an indifference to any particular system of religious teaching — destroyed, in fact, the only conditions on which religious teaching could be carried on. The result of this might be that a small minority of Nonconformists might become members of Convocation, and might contend that every other system of religious teaching had as fair a right to be tried in the University as the religious teaching of the Church of England. In America, where dissension had been introduced through somewhat similar means, religious teaching of any kind had in the end been given up altogether. The answer which some hon. Members might perhaps make was that Convocation was not the governing body of the University. But the ecclesiastical patronage was in the hands of Convocation, and Convocation, moreover, had the power of altering the studies of the Universities and appointing the examiners. If Nonconformists became numerous in the Universities they would imperil the Church of England character of the governing body of the University. If they were still to continue very few, it was hardly worth while, for the sake of a few, to make a change which appeared dangerous to so many. The vast majority of the undergraduates would always be members of the Church of England; surely it was worth while to consider the danger to these undergraduates of being led to under-estimate the value of any particular form of religion, and even the alarm that might be produced in many English families, if Church of England teaching were interfered with at the Universities. One important point was the way in which such an alteration would affect the character and standing of the clergy of the Church of England. It was expedient not to diminish the influence of the Church of England by any alteration of the present University system. Whatever hon. Members opposite said of the Church of England as an Establishment, they always testified to the usefulness of her clergy, and would do anything to extend their usefulness. He believed that as a rule the governing bodies of the Nonconformist Colleges were members of the denomination to which the College belonged. ["No, no!"] If there was an instance to the contrary he was sorry to hear of it; for it was essential that the governing body of an institution which educated the ministers of any denomination should profess the religious principles that were taught there. The society in which he mixed at the Universities was not without its value to the clergyman, who was appreciated by the poor in proportion as he was recognized as a gentleman. None could detect more quickly than the poor whether a clergyman was a gentleman. Interference with the religious character of the governing bodies of the Universities would necessarily lessen their attraction for the clergy. Bishops and rectors complained that they could not find University men for curates. In 1865 only half the deacons ordained in the province of York were Oxford or Cambridge men. The passing of this Bill would make the evil complained of still greater, and would lead to the establishment of Colleges independent of the University as places of instruction for the clergy. It was most desirable that they should feel themselves part and parcel of the Church, on the same footing as the laity. But this separate instruction would lead them to think that, like the Roman Catholic clergy, they were a distinct and separate order. He had so far considered the Universities as places of education, and he did not wish to consider them anything else; he did not believe the country wished to see them like the German Universities turned into arenas of disputation upon every possible subject. Those engaged in teaching ought to devote themselves to it, and ought not to be distracted by speculative inquiries. Philosophical research and practical instruction would not harmonize. There was danger in young and unformed minds grasping at the latest discoveries before they had solved minor mysteries for themselves; and there could be no greater hindrance to the real philosopher than that his mind should be continually brought down from the highest regions of science to the common-place drudgery of instructing ordinary undergraduates. On the grounds that the Bill would tend to make the Universities places for philosophical inquiry rather than places of education, that their educational utility for both laity and clergy would be thereby diminished, that the measure would weaken the connection between the University and the Church, which time had made sacred, which had conferred great benefits on the Universities, and which had endeared them to the country, he opposed the Motion for the third reading.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir Michael Hicks-Beach.*)

MR. WALPOLE said, he wished to draw attention to a statement made by his hon. Friend the Member for Brighton (Mr. Fawcett) that the petitions from Cambridge in reference to the Bill, if not "got up," had been greatly exaggerated in importance. His hon. Friend had since admitted his error to some extent. Though it was at the time when most of the graduates were away from Cambridge, yet it had been signed by the great majority of the resident members. It had been signed by thirteen out of seventeen heads of houses, by between forty and fifty tutors and assistant tutors, by between thirty and forty professors and other office bearers, and by between seventy and eighty resident members. He thought it right to put the House in possession of these facts to show that the hon. Member for Brighton was under an erroneous impression in the statements he had made. As to the objections to the present measure, after what had been so well said by his hon. Friend he would not take up the time of the House. Though, like him, he would say "No" to the third reading, in the present state of the House, he did not think it desirable to go to a division.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

INTESTATES' WIDOWS AND CHILDREN (SCOTLAND) BILL.

On Motion of Sir GRAHAM MONTGOMERY, Bill for the Relief of Widows and issue of Intestates in Scotland where the succession is of small value, *ordered* to be brought in by Sir GRAHAM MONTGOMERY and Mr. Secretary GATHORNE HARDY.

SEWAGE BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill for facilitating the distribution of Sewage Matter over land, and otherwise amending the Law relating to Sewer authorities, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY and Mr. SCLATER-BOOTH.

LIBEL BILL—[BILL 215.]

(*Sir Colman O'Loghlen, Mr. Baines.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir Colman O'Loghlen*).

MR. AYRTON said, he hoped that the hon. Member would not proceed with the Bill, considering how few Members were present.

MR. GOLDSMID said, he saw no reason for postponing the measure. It had been well considered by a Select Committee, and he believed it was approved by the press itself.

MR. AYRTON said, he believed the measure would be most injurious to the press, and also to all classes of the community. It had never been properly considered by the House, and the present was not the time to discuss it. He had always exerted himself to develop the press of the country. None had worked harder than he to remove the Paper Duty and other burdens weighing on the press, so that his opposition to the Bill was in no wise owing to an objection to newspapers. He opposed the measure on the ground that it was of the nature of exceptional legislation. Much had been said about the press being the guarantee of the liberty of the country, but as a matter of fact the press was not a guarantee of liberty. It was the servant of the people and not the master, and accordingly, where liberty was found, there the press flourished, and where liberty was not the press was strangled. He believed the great safety of the press lay in its being subjected to the ordinary operation of the law of the land. They might depend upon it that if special legislation were resorted to in favour of the press that would soon be followed by special restrictions laid upon the press.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Nine o'clock, till Thursday.

HOUSE OF LORDS,

Thursday, July 18, 1867.

MINUTES.]—SELECT COMMITTEE—On Tenure (Ireland), Viscount De Vesci *added.*

PUBLIC BILLS — *First Reading*—Naval Stores (No. 2)* (234); Tests Abolition (Oxford and Cambridge)* (235).

Second Reading—Trades Union Commission Act (1867) Extension * (225); Prorogation of Parliament (228); Turnpike Trusts Arrangements* (229); Barrack Lane, Windsor (Rights of Way)* (226); Agricultural Employment (147).

Committee—Christ Church (Oxford) Ordinances* (190).

Report—Merchant Shipping* (219); Patriotic Fund* (201).

Third Reading—Inclosure (No. 2)* (158).

Withdrawn—Naval Stores* (160).

PROROGATION OF PARLIAMENT BILL.

(*The Lord Chancellor.*)

(NO. 228.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that this Bill be now read the second time, said, its object was to simplify the forms now used in the prorogation of Parliament during its Recess. The present practice was not very consonant with the dignity of that House or of Parliament. A Commission was issued to some of their Lordships—generally Peers who held offices in the Ministry—empowering them to declare the further prorogation of the Parliament. Two or three of the Commissioners came down to the House, and a summons was sent commanding the attendance of the Commons to hear the Royal Commission. The House of Commons was generally represented by one of its Clerks, who was addressed as "Gentlemen of the House of Commons." It appeared that up to the year 1672 the Speaker always attended to hear the Commission read; but in that year his place began to be supplied by the Clerk. In 1706 an Assistant Clerk came to be substituted for the latter; and so the custom had continued ever since. The Speaker, it was said, had originally excused himself from attending on the ground that he wanted to go to Spa, an excuse which was repeated by Sir Fletcher Norton; and so it had come to pass that the Speaker in subsequent years was suffered to find it necessary to go to Spa also. Under these circumstances, he hoped their Lordships would see that it was not desirable to continue what in reality was an idle ceremony, and one which sometimes produced inconvenience; for it was often found difficult to secure the attendance of Commissioners sufficient to constitute the quorum. Indeed, he recollected that on one occasion it was only done by asking the Duke of Cambridge, who happened to be passing through town, to come down to the House. He did not wish to disparage ancient forms and ceremonies when they retained any meaning or use, but he thought the existing custom in respect of the prorogation of Parliament during the Recess was entirely useless and unmeaning, and might very well be dispensed with. What he proposed, then, was that the present custom should be abolished, and that the prorogations during the Recess should take place by means of a Proclamation.

LORD CRANWORTH expressed his approval of the alteration.

Bill read 2ª, and *committed* to a Committee of the Whole House *To-morrow.*

AGRICULTURAL EMPLOYMENT BILL.

(*The Earl of Shaftesbury.*)

(NO. 147.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF SHAFTESBURY, in moving that the Bill be now read the second time, said, the subject had already undergone considerable discussion, but some persons thought it advisable that a Commission should make further inquiry into the state of the labourers in agricultural districts before any legislation on the subject took place. He, however, in common with many others, thought the subject was sufficiently ripe for legislation, more especially that part of it which related to the working of females in gangs. Entertaining that view, he had brought forward the present Bill, the provisions of which were very simple A great desire existed throughout the country that the principles of the Factory Acts should be applied to the agricultural districts—of course with such modifications as were demanded by the differing circumstances of the case. This, however, on consideration appeared to be quite impossible, the condition of society in the two cases being utterly different. There were however certain principles from which they need not depart, and which were equally applicable to both classes—such, for instance, as that with respect to the limitation of age. Under the Factory Acts no child under eight years of age was allowed to work at all, and no child under thirteen should work longer than a certain time. This Bill accordingly provided that no boy under the age of eight years, and that no girl under the age of thirteen years, should be employed in agricultural labour for hire. It also provided that no girl under the age of eighteen years should be employed at all in a public gang. The next provision of the Bill related to the subject of education. The subject was, no doubt, one of great difficulty on account of the difference in the nature of the employment of agricultural children. Any attempt to apply to agricultural districts the half-day system, or the alternative day system, was found to be impossible, on account of the children working either singly, or in parties of only two or three, at a great distance from their homes, and because of the inconvenience which would result from the constant interruption of the work. Therefore he had adopted in the Bill the time system which was found to work tolerably well as established by the Print Works Act, which he (the Earl of Shaftesbury) had introduced some years ago, and which provided that the children should have in the course of the year so many hours for education. Dividing the year into two periods, he proposed that in the half year ending 31st March, 400 hours should be devoted to education, and 200 hours in the other half; the difference being drawn because in agricultural labour the greatest amount of leisure time was during winter and the long nights. He knew that there was great difficulty in giving practical effect to this arrangement, as localities differed very much, not only in reference to the number of schools, but in the number of children, and, therefore, he left it to the magistrates at Quarter Sessions to make such regulations on this point as they might deem necessary, taking into account the circumstances of the various districts. The question of mortality among young persons, whether employed in manufactures or in agricultural labour, was one of great importance. On looking over the rates of mortality, he found that they exhibited the complete unfitness of the female constitution to be exposed to the vicissitudes of weather as well as to hard labour. He found in all agricultural districts—in Surrey, Kent (both extra-metropolitan), Sussex, Hampshire, Berkshire, Hertfordshire, Buckinghamshire, Oxfordshire, Northamptonshire, Huntingdonshire, Bedfordshire, Cambridgeshire, Essex, Suffolk, Norfolk, and Dorsetshire—that the mortality of the girls at ten years of age and under fifteen years was greater than that of boys of the same age; while in the manufacturing districts of Cheshire, Lancashire, and the three Ridings of Yorkshire the mortality of the girls working in those districts under cover, and enjoying the warmth necessary for their constitution, was less than that of the boys at the same ages. With the view of ascertaining whether the result obtained from those mortality tables coincided with the judgment of medical men, he submitted to two very eminent physicians, specially experienced in diseases incident to the female sex, the following questions:

> "1. Are girls of the age of thirteen, and a year or two afterwards, in a peculiarly delicate condition as regards their health? 2. Are girls in those early ages less able than boys to bear hard field work?"

The answer from one, and confirmed by the other, was as follows:—

> "I can answer both your questions in the affirmative. Thirteen, however, is earlier than the average age of female puberty, which in this country is fifteen and-a-half years. The only inference from this, however, would be that an age somewhat more advanced than thirteen requires even greater care. As to the generally less ability of girls and women than boys and men to bear rough out-of-door work in all weather, there can be no doubt whatever; and it may be stated absolutely, and without any qualification."

This was the reason why he was anxious to exclude girls under thirteen years of age from the liability to work in agricultural labour for hire. But apart from the inferior strength of girls to bear out-door labour and exposure, there were other reasons. Nothing tended so much to lower their character, and to prevent them from making in after life good wives, than their being taken away from their homes at an early age, and being brought up in ignorance of all domestic duties. The result of such a system was that the homes of the peasantry were rendered most uncomfortable and unhealthy, and the men were in consequence, likely to be driven to the public-house. He knew that education in many parts of the agricultural districts was really given to a greater extent than many people supposed; but the difficulty was for the people to retain that education in after life. People sometimes talked of the agricultural labourers as if they were the greatest boors on the face of the earth. The agricultural labourer was called upon to do a kind of work, which was not only for his own benefit, but for that of the country at large. Let those who spoke so depreciatingly of the agricultural labourer, in comparison with the skilled artizan, go down and see him engaged in digging a trench and observe what skill he displayed; or in following the plough, and observe the intelligence, steadiness, calculation, and judgment with which he performed his work, and then say whether such a man did not fully deserve to be called a skilled labourer? He thought that every exertion ought to be made to give as much education as possible, especially when young, to those who were to be engaged in agricultural work. Evening schools were, doubtless, of very great use, where they could be rendered available, but the great distances which had to be traversed among a scattered population did much to detract from their usefulness. Again, he wished their Lordships to approve the principle of the Bill by giving it a second reading; and he trusted that earnest and persevering efforts would be made to give the children of agricultural classes such an education as would enable them to perform satisfactorily their duties in life, both as members of the community and as Christians.

Moved, "That the Bill be now read 2^{a}."—(*The Earl of Shaftesbury.*)

The Earl of STRADBROKE said, that a statement, which he had read with great surprise, had been put forth that the gang system prevailed in the eastern districts of Suffolk. The gang system, he believed, existed in a small district between Bury and Cambridgeshire, but it did not prevail in the county at large. He certainly never could sanction the system; and he believed the country would be fully prepared to carry out the noble Earl's Bill.

Lord LYVEDEN, whilst admitting the soundness of the principle of the Bill, thought its details very ill-considered. He thought that the provision that no girl under thirteen should be employed in agriculture was too stringent, for if they were not employed in the open air they would be confined in small and ill-ventilated cottages. It was quite right to provide against boys of a tender age being overworked; but he thought that with the present deficiency of agricultural labourers they could not provide that boys should not be employed, unless educated, until they were thirteen. Again, to provide that boys should only be employed in the case of their being educated in accordance with bye-laws made by the justices, would be creating a new authority in interference with labour, and a great difficulty even in the way of education. They could not do this without compulsory education, or without parents being induced to send their children to schools of which they disapproved for the sake of procuring them employment. Then, who was to pay for their education? If there were no means for educating them, it would be utterly monstrous to say that they should not be employed under the age of thirteen. He hoped this part of the Bill would be more carefully attended to before it was allowed to go through the House. He agreed with the noble Earl as to the impropriety and immorality of gangs; but their Lordships should not be called upon to acknowledge a principle without knowing how it was to be carried out.

THE EARL OF KIMBERLEY said, he could not agree that the Bill was an ill-considered one. The principle of the Bill, so far as the educational clauses were concerned, had been already adopted in the Factory Act; and the arguments which had been urged, happily without success, against those Acts, were the same as were now urged against this. The alleged hardship of compelling the attendance of children at school did not prevail in that instance, nor had the result of that legislation been unfavourable. The system applicable to factory labour could also be applied to work in the fields; and he thought the time had arrived when they might fairly consider whether the same principle should not be carried further. Probably the best mode in which this could be done would be by the adoption of the conditions now applicable to print works. No doubt, there were difficulties connected with the question. It would be clearly unjust to require that a child should have attended school as a condition of employment if there was no school within a moderate and convenient distance of his home; or where the only day school in the neighbourhood was one where the parents of the child could not conscientiously approve the religious instruction given in it. As to labouring in gangs, he thought the interference of Parliament was imperatively required. If his noble Friend who spoke last would read the Report carefully, he would find evidence to convince him that the proposed restriction on the employment of young women in agriculture would be most proper and beneficial, and that in many parts of the country a great desire was expressed that girls should not be so employed. It was most objectionable that girls should be employed in the field when they ought to be at school, or should be employed in labour which must degrade and brutalize them. The case was very different with regard to boys intended for agricultural labourers. They should begin early at the age of eight or nine, and thus become hardy and accustomed to the work. He had a strong opinion that it was a matter of urgent necessity to extend school instruction to all classes of the community. He should not allude to the question which would shortly come before that House further than to say that it had now become urgently important that the masses of the population should not be left without the means of attaining, at all events, elementary education. This question of educating the agricultural classes did not concern those classes alone, but affected the towns whose population was recruited from those classes. Under these circumstances, in order to render the lower classes as soon as possible fit for the exercise of the privileges about to be conferred upon them he hoped that immediate legislation would take place upon the subject. The evidence that had been taken by the Children's Commission revealed such facts as might well make any Englishman ashamed; and therefore, in order to mitigate the evils arising out of the gang system, he trusted that mixed gangs would be prohibited, that gang-masters would be licensed, and that means would be taken to prevent the employment of very young children. If these suggestions were adopted, the first step would have been taken towards a great and permanent improvement of the condition of the agricultural population of this country.

THE EARL OF SHAFTESBURY said, that, as no Member of Her Majesty's Government had deemed it necessary to express any opinion on the subject, he might be permitted to remind their Lordships of the inestimable benefit the system of coupling learning with labour had conferred upon the country during the last thirty years. He trusted that their Lordships would read the Bill a second time.

Motion *agreed to;* Bill read 2ª accordingly.

House adjourned at half past Six o'clock,
till To-morrow, quarter before
Five o'clock.

HOUSE OF COMMONS,

Thursday, July 18, 1867.

MINUTES.]—SELECT COMMITTEE—On Woodhouse Collection *nominated.*

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*Ordered*—Public Works (Ireland)*; Weights and Measures (Dublin)*; Wexford Grand Jury.*

First Reading—Sewage* [260]; Intestates' Widows and Children (Scotland)* [261]; Public Works (Ireland)* [262]; Weights and Measures (Dublin)* [263]; Wexford Grand Jury* [264]; Morro Velho Marriages* [265].

Second Reading—Court of Appeal Chancery (Despatch of Business)* [254].

Referred to Select Committee—Local Government Supplemental (No. 6)* [244].

Considered as amended—Investment of Trust Funds* [259]; Dogs Regulation (Ireland) Act (1865) Amendment* [184]; Master and Servant* [240].

Third Reading—Judges' Chambers (Despatch of Business)* [154].

Withdrawn—Valuation of Property* (*re-comm.*) [177].

RAILWAY ACCIDENT AT WARRINGTON. QUESTION.

MR. O'BEIRNE said, he would beg to ask the Vice President of the Board of Trade, Whether his attention has been called to Colonel Yolland's Report as to the late accident at Warrington, in which he states that, in his opinion, had the recommendations made by Captain Tyler in his Report dated in 1862, with reference to an accident at the same station, been carried out, a collision of the kind which happened on the 29th of June last could not have occurred without the disobedience of signals on the part of the engine driver of the passenger train; and whether, if it be true, as Colonel Yolland states, that the Board of Trade can only "compel the adoption of anything necessary before the opening of new lines and junctions, but not afterwards," it was his intention to propose any Amendment in the law for the better securing the safety of the public?

MR. STEPHEN CAVE: Colonel Yolland's Report has not yet been received at the Board of Trade. The hon. Member's Question refers probably to the report of his evidence at the inquest. It is quite true that the Board of Trade cannot compel the adoption of its recommendations after the opening of a line of railway; and it is extremely doubtful whether an alteration of the law in this respect would "better secure the safety of the public." It would have the effect of shifting the responsibility from the railway company on to the Government, which the Report of the Royal Commission recommends should still be thrown on the companies. In the case of an accident happening through the wilful and deliberate neglect of a recommendation of the Inspector of the Board of Trade, the responsibility of the company is most seriously increased; and the jury can scarcely fail to take it into consideration in their verdict, perhaps to the extent some day, of returning a verdict of manslaughter not only against the servant of the company, but against those who are more generally responsible for the management of the line.

COMPENSATION FOR SLAUGHTERED CATTLE.—QUESTION.

MR. READ said, he would beg to ask the Secretary to the Treasury, When the compensation voted by the House for the owners of cattle slaughtered by the Government Inspectors between August and November 1865, will be paid?

MR. HUNT said, that a great deal of the money had already been paid, and it rested with the local authorities to examine these claims and substantiate them. When that had been done, and the claims were sent in to the Treasury, payment was made immediately.

MR. READ said, that the claims from Norfolk had been sent in for the last two months.

MR. HUNT said, he had not seen them, but he would make inquiries.

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN. QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask the Secretary of State for India, Whether it is true that some persons connected with the India Office are about to give an entertainment to the Sultan and Pasha of Egypt, not at their own expense; and, if so, who are the persons who give the entertainment, and what day has been fixed for it; whether the Members of the House of Commons are to be invited to meet the Sultan and Pasha; and, if not, who are the persons invited to do honour to these personages, and will there be any objection to give a list of them; and whether, in his opinion, instead of burdening the resources of India by expending the funds in parties of this sort, which it is reported is to be strictly private, or confined to officials and their friends, it would not be better to charge for the tickets, and amongst others to invite the Members of the House of Commons to meet these distinguished guests?

SIR STAFFORD NORTHCOTE said, with respect to the entertainment which was to be given at the India Office, and to which the Sultan and the Viceroy of Egypt had been invited, he was sorry to find that the Viceroy did not intend to remain in this country, and therefore would be obliged to decline the invitation. With regard to the entertainment itself, it had been their wish to invite as many Members of the House of Commons as they were able to do, but it was impossible that they should send invitations to the whole of that House, because they felt that there was no reason why they should send invitations to the whole of the House of Commons which would not equally apply to the other House of Parliament. And as there were upwards of 1,000 Members in the two Houses of Parliament, and as it would be necessary to invite ladies also to take part in the entertainment, if they had invited all the Members of both Houses, and one lady with each Peer and each Member of that House, that would have given them a more numerous list than their space would accommodate, and would have rendered it impossible to invite any other persons, even those who were most closely connected with India, or other persons who had any claim to be present on such an occasion. They had therefore made out their list of invitations as well as they could. He was unable to give any better answer to the hon. Gentleman than that. Of course, when they were about to give a ball, it was necessary to ask a certain number of ball-going people and also a certain number of those who were connected with India. It was further necessary that they should ask the Members of the Corps Diplomatique and other distinguished persons now in this country, and likewise a certain number of officers of the army and navy, who were at least as much connected with India as Members of that or of the other House of Parliament necessarily were. Well, he could only say, from what he had learnt from the Invitation Committee who had had charge of preparing the invitation lists, that they had the most difficult duty to perform. There were at least 4,000 or 5,000 persons to whom invitations might very properly have been sent, and to whom they would have been very glad if they could have sent them. But no entertainment of that kind could succeed if they asked so many people that if they came they would be crowded together, and would only interfere with each other's comfort. They had done the best they could, and he was sorry that a large number of persons whom they should like to have asked were not invited. As to the suggestion of the hon. Member that they should give a list of the Members and other persons invited, to be laid before the House, he really did not think that would be a desirable course to pursue; and with regard to the Question whether in his opinion it would not be advisable that a charge should be made for the tickets, he thought that would be highly objectionable, and would entirely defeat the object of the entertainment, which was to show honour on the part of the Indian Government to their distinguished guest. The hon. Gentleman would see, upon reflection, that there would be all the same difficulty in issuing tickets to be paid for as attended the course actually adopted on that occasion. If tickets were issued on payment to all who chose to apply for them, they might have the place filled with the most objectionable persons; and if they exercised any selection as to the persons to whom they were issued, the same difficulty as was now experienced would arise. They had done the best they could, and could only express their sorrow if they had not been able to give general satisfaction.

REGISTRATION OF DEEDS (IRELAND) BILL.

MOTION FOR A SELECT COMMITTEE.

GENERAL DUNNE rose to move for a Select Committee to inquire into the amount of Fees paid into the office for the Registration of Deeds in Ireland, and the application of those Fees. The hon. and gallant Member had on a former occasion called the attention of the House and the Secretary to the Treasury to this subject, but as the reply he received was not satisfactory he must ask the patience of the House while he again brought the subject to its notice. He would remind the House that the office for the Registration of Deeds in Ireland had been by law made self-supporting, and the Treasury, by the Act of Parliament which created the office, had empowered the Treasury to fix fees on the registration of deeds to an amount necessary to cover the expenses incidental to that office, and no more; and if any surplus remained after the payment of these expenses the Treasury had the power to lower these fees to the amount which would be sufficient to meet them; but it was expressly stated that no part of these fees should be paid in to the Consolidated Fund. For many years there was a surplus of these fees above the expenses. Some years since, when the business of the office was in arrear, he had the greatest difficulty in extorting from the Treasury a small sum then absolutely required; and the surplus contrary to the Act they had been paying into the Consolidated Fund; but they had not lowered the fees, which they were bound to do when there was a surplus, according to the Act. Since the time fees were paid by stamps, the Return laid on the table gave no account of these amounts — a concealment, he contended, which was also illegal. Within that period he understood the hon. Gentleman the Secretary of the Treasury to insinuate that the expenses of the office had increased, but, if so, here again was another illegality; for they were bound to lay on the table of the House, in a short time after the meeting of Parliament, a statement of any changes that were made in the office. He therefore thought he had a right to complain that £47,500 of those fees had been paid to the credit of the Consolidated Fund, such payment being, as he contended, illegal. Whatever the exact amount of the fees might be, there must still remain a very large balance of the surplus, and he wished for a Committee to determine the amount; it could not but decide whether the Treasury were acting illegally in appropriating the surplus to the Consolidated Fund. At that period of the Session it might be said that it would not be reasonable to ask for a Committee whose sitting would extend even over a few days; but, as in this case, nothing more was necessary than the examination of three or four Acts of Parliament, the Report of the Committee, which had already reported against the conduct of the Treasury, although appointed by itself, and a few Returns by Government officers, he thought the matter might be settled in a few hours.

Mr. HUNT said, his hon. and gallant Friend had brought this question under the attention of the House on two former occasions during the present Session, and he (Mr. Hunt) had then carefully adduced the facts. The expense of carrying out the provisions of the Act of Parliament was, by the Act, to be defrayed out of these fees. Years passed before the things were done which the Act required, and there remained a surplus fund; but, since then, the provisions had been carried out, and the result was that, instead of a surplus, there was a deficiency. A Committee of the House of Commons was scarcely competent to discuss the legal question, and the Returns would furnish all the information required. If, through some technicality, the Return already presented was incomplete, he had no objection so to amend it as to show exactly what the state of the Fund was.

Motion, by leave, *withdrawn.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £30,479, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland."

Mr. HADFIELD moved that the Vote should be disallowed, except the sum of £366 for supporting the widows and orphans of ministers of the Synod of Ulster. This charge, including grants for chaplains of priories, had increased from £26,300, in 1834, to £44,460 this year; while the number of Presbyterians had decreased from 1834 to the date of the last Census by 114,666. It appeared that the amount of the Vote increased as the number of those who were to be benefited by it decreased. One of the conditions was that no congregation sharing in the grant should be of less than twelve families, or contribute a less amount than £35 a year; but it appeared that no attention was paid to this, and there were seventy-one Presbyterian congregations in Ireland who contributed less than that amount. By this, and other circumstances, very great dissatisfaction had been excited, not merely amongst those who did not participate in the money, but amongst members of the particular communion itself. At the meeting of the General Assembly, when the question of renewing the application for an increase of the grant was discussed, the proceedings, as usual, were conducted with closed doors; but it appeared that sixty-one Members voted against the application, and 152 in its favour. Out of a population of 5,720,000, only 500,000 derived any advantage from this grant, and he knew of no reason why exclusive privileges of this kind should be maintained for the sake of a body consisting of but one-tenth, or, more accurately, one-eleventh, of the population of Ireland. The immense majority of the inhabitants of that country assumed the responsibility of maintaining their own clergy, and were perfectly determined to reject any aid from the State. Within the last two years the increase in the fund had been £675, and it increased constantly. In 1843 a large secession from the Scottish Church took place, which was entirely supported by voluntary contributions, amounting since that time to the immense sum of £7,540,000. He understood, from private sources of information which were beyond question, that the wealth of the Presbyterian body in Ireland considerably exceeded that of the Scottish seceders. Yet, in the course of that time, they had received more than £500,000 of the public money. Belfast and the North of Ireland were never in a more prosperous condition than at present, or better able to maintain their own ministers; but the amount contributed by each person for that purpose did not exceed 10*d.* a year. Well might they proclaim their abhorrence of voluntaryism at this rate, though it did not exhibit their character in a very favourable point of view. He was aware they had a Missionary Society to which they gave £10,000 a year, and, when in Dublin, a few years ago, he had seen a place of worship erected by a single individual of that body at a cost of £16,000. This proved that they could do many things if they chose; and he maintained that the prosperity of the denomination would be immensely advanced by their declining the receipt of State aid, and relying on their own resources and the bounty of their own members. It had only recently been determined that the grants for religious purposes in the West Indies, amounting to £20,000, should be discontinued; and he proposed that the same course should be adopted as in that case, the Vote being gradually discontinued, and the life interests of existing parties respected. He should conclude by moving, in the name of the Presbyterian body, and on their behalf, as well as on behalf of the entire country, the reduction of the Vote to the small sum he had mentioned. It would be a real boon to the population, and would tend to the removal of existing sources of bitterness, which had a most pernicious effect, preventing the affairs of Ireland from being placed on a footing satisfactory to all.

Motion made, and Question put,

"That a sum, not exceeding £366, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland."—(*Mr. Hadfield.*)

MR. PEEL DAWSON said, notwithstanding the constant opposition offered to this Vote by the hon. Member for Sheffield and a few of his Friends, he was of opinion that the State had judged wisely in granting assistance to the Presbyterian body of Ireland, and providing for the extension of their congregations. This opinion he had formed after a long residence in Ireland, and he would submit that an opinion so formed was more reliable than any abstract theory connected with the voluntary system, which was entirely unsuited to the present distribution of ecclesiastical property in Ireland. He believed that the State would suffer from any violent dissolution of the ties that existed between the two great Protestant Churches through their connections with the State. The Presbyterians of the North of Ireland, contrary to the hon. Member's statement, were far from being a wealthy body, with the exception of a few individuals. They felt that, having been invited in the reign of James I. to colonize Ulster, and having been promised a considerable portion of the tithes, out of which, however, they were afterwards cajoled, they had a strong claim upon the Government in reference to the maintenance of their Church, and that there was a compact to that effect which was binding upon the country. It was notorious that not a single Fenian belonged to the Presbyterian body, and where that religion predominated the gaols were empty, and the only inmates of the workhouses were the very aged and the very youthful part of the population. On those grounds he felt it to be his duty to resist the Motion of the hon. Member; but he went farther, and must express his hope that the Government would listen to the earnest wish entertained by the Presbyterians of Ireland that some slight increase should be made in the stipends of those ministers. The present amount granted to them was not to exceed £75 Irish, equivalent to £69 4*s*. 8*d*. English, or only one-eighth part of the amount received by the ministers of this body 200 years ago. To raise the stipend to £100 annually for each minister would require only a sum of £16,000 or £17,000, which he hoped would be acceded to.

Mr. KENNEDY said, that he represented a constituency, the greater part of whom were Roman Catholics, although he himself was a member of the Established Church. He thought the hon. Member for Sheffield had commenced at the wrong end of legislation. While the Established Church in Ireland received an enormous revenue from the State, he could not consent to be a party to removing so paltry a grant as that given to the Dissenters.

Mr. HUNT hoped that the Motion would not be pressed to a division, for the Vote was one which had been sanctioned by successive Governments for nearly two centuries, and it was looked upon by those who received it in the light of an endowment. He believed that the conditions which were laid down some years ago were still carried out; that congregations could only qualify for the grant by having a place of worship, and by themselves endowing the minister to the extent of £35 a year; and further, that a congregation must consist of not less than twelve resident families. He could not make any answer in reference to what had been said about the report of the General Assembly, because having had no notice upon the subject he had not looked into the matter.

Colonel STUART KNOX said, it was satisfactory to know that the hon. Member for Sheffield, so far from representing the feeling of the whole country, would only be followed into the Lobby by some half-dozen of his immediate Friends. The advantages of the Vote were admitted by all who knew the state of the North of Ireland and nothing could more clearly evince the excellent feeling and dispositions which animated that portion of the population than the fact that amongst them not a particle of sympathy with the Fenians was to be found. When the Roman Catholics derived aid from the public for Maynooth, how could it be asserted that no other body of Dissenters in Ireland received State assistance but the Presbyterians? The Presbyterians had received every encouragement from the late Government and the softest words from the right hon. Gentleman the Member for South Lancashire, until it was discovered that they would not instruct their representatives to support the late Government on all occasions.

Sir COLMAN O'LOGHLEN must say that the Presbyterians of Ulster deserved no support from the Catholic Members of that House, because he believed that on all occasions they had been found in the ranks of those who defended the ascendancy principle in Ireland; and even in the present day their representatives in that House opposed every Vote brought forward for the removal of the religious disabilities under which the Roman Catholic body suffered. A Roman Catholic would have no more chance of being returned as a representative of any place in the North of Ireland where the Presbyterians were strong, than Beelzebub himself. Notwithstanding, however, that feeling, he must vote against the Amendment of his hon. Friend, because he viewed it as but a small portion of a large question, which must be soon dealt with by Parliament. In the face of the Maynooth grant, too, he could not vote against the *Regium Donum*. He believed that the grant had been originally given as a bribe to induce the Presbyterians to support the Established Church in Ireland. He had no doubt but that the Church question in Ireland would in a short time be the great question of the day; and he thought that the Chancellor of the Exchequer could not apply his great mind to a better purpose than to that of devising a wide and extensive measure on the subject.

Mr. Alderman LUSK said, that for centuries this system of Church endowments had been pursued, and it had remained a stain upon the country. Those Churches in Ireland that were endowed made themselves offensive to the Irish Roman Catholics, just because they were not endowed. God's law was to trust the stability of a Church to love and Christianity, but statesmen's law was to trust to money and Acts of Parliament. This state of things could not long exist, and the sooner it was put a stop to the better. Money was given to three religions in Ireland, and was not that highly inconsistent, because they could not all be right? He hoped the House would put an end to the system.

MR. VANCE observed that every Irish Member who had spoken on the subject had supported this endowment. It was the voluntaries of England, who were opposed to the Established Church of England, who had combined to oppose this grant, and all Churchmen and Presbyterians in Ireland were justified in resisting their attempts, the object of which was to disendow the Established Church of both countries. The reasons which the hon. Member for Sheffield gave for his opposition to this grant appeared to him (Mr. Vance) rather to be reasons for endowing the Presbyterians of the North of Ireland more liberally. The hon. Gentleman said that nothing could exceed the liberality of the Presbyterians for the support of foreign missions—that they desired to augment the livings of their ministers, and were anxious to build more churches. A magnificent Presbyterian church had recently been built in Dublin by a single gentleman. These facts appeared to him to furnish good reasons for increasing the *Regium Donum.* Only 546 ministers were paid out of this grant, each of them receiving the small pittance of £69 4*s*. 8*d*., and in order to secure the *Regium Donum* the sum of £35 each must be contributed by the body at large. He hoped that this endowment would be placed on the Consolidated Fund like the Maynooth Grant, as the late Sir Robert Peel promised to do, so that the House would be spared every Session those repeated discussions.

SIR FRANCIS CROSSLEY objected to the grant as an English taxpayer, believing it to be wrong to burden the people of England in order to support the worship of the Presbyterian body in Ireland. The hon. Baronet the Member for Clare (Sir Colman O'Loghlen) said that this was originally a bribe to the Presbyterians of Ulster to induce them to support the Established Church in Ireland. The hon. and learned Gentleman might have added, with equal truth, that the Maynooth Grant was another bribe to the Roman Catholics of Ireland for the same object. He was rather surprised that the Roman Catholics had accepted that bribe. If they had not done so he believed that the Established Church in Ireland would have been long since placed on a much more satisfactory footing. He belonged to that party that objected to the public money being applied to any religious sect whatever, and whether this particular grant was placed on the Consolidated Fund or not their opposition to it would still continue.

MR. LEFROY hoped that this grant would be carried by a large majority. He denied the assertion that it was given originally as a bribe to the Presbyterian body, who had ever shown themselves most loyal and faithful subjects, and most devoted to law and order. He had not the slightest fear that if the Chancellor of the Exchequer should deal with the subject he would do so in a way injurious to the interests of those belonging to the Established Church in Ireland.

MR. CHILDERS said, he should vote in favour of the present grant for this reason—because he was certain that as soon as the Reform Bill came into operation the whole question of religious endowments in Ireland would be fully considered, and until then he did not think it would be wise to interfere with any particular religious endowment that existed. With reference to the remarks of his hon. and gallant Friend (Colonel Stuart Knox) on the subject of deputations, he presumed that the hon. and gallant Member desired to see deputations following the example of one which recently waited on the Chancellor of the Exchequer, and, after a pleasant interview, departed without having spoken upon the subject on which they were deputed to wait on the right hon. Gentleman. The occurrence of outrages had been referred to as against the hon. and learned Member for Sheffield, but the attention of the House had been drawn to the occurrence of very serious outrages not very far distant from the region to which the grant applied. Perhaps the hon. Gentleman remembered the debates on the Belfast riots.

MR. LANYON asserted that the Belfast riots were very far from being due to the Presbyterians; they had arisen from action on the part of those opposed to Presbyterians. He regretted that the subjected had been introduced in connection with the debate. Considering how greatly money had decreased in value since the pittance under discussion had been given to the Presbyterian ministers, he thought it but fair to increase it; he also approved the proposal to make the grant a fixed charge on the Consoldated Fund. He denied that the grant was a bribe to encourage Protestant ascendancy; it had been made to help the Presbyterians, and had succeeded in bringing about an amount of prosperity and healthy industry there, superior to what existed in any other part of Ireland.

Mr. M'LAREN said, that hon. Members had remarked that those who were opposed to the Motion of the hon. Member for Sheffield should bring forward some measure to regulate the anomalies connected with the Established Church, and that until that was accomplished nothing should be done in these matters connected with grants to other religious bodies. Now he entirely disagreed with that proposition. First of all the hon. and learned Member for Clare (Sir Colman O'Loghlen) had been constantly framing Bills on kindred subjects, as to the fate of which they all had had experience. It would be much better if the hon. and learned Gentleman were to bring forward a Motion stating distinctly what he and his Friends desired. During the time he (Mr. M'Laren) had been in the House many Motions were brought forward connected with the Irish Established Church question, but those who spoke on them usually went round and roundabout, and he invariably found that the Motion was withdrawn, and the whole thing ended in smoke. It was too bad to ask him and those who felt with him against all grants for religious purposes to bring forward large propositions on this question. It had been said this was only a small matter, and that the whole class of religious questions should be dealt with by one comprehensive, sweeping measure. But that was not the way in which the Duke of Wellington effected an entrance into the strong fortresses he had taken. He always took the outworks first, and having them in his hands, strengthened his position, and then, with their advantages for assault, obtained possession of the fortress. If the same course were adopted with respect to the *Regium Donum*, and the Established Church in Ireland, the result would be far different from that which had attended the many attempts to deal with that Church. He was opposed to all religious endowments, whether it was to the Church, the *Regium Donum*, or the Maynooth Grant; he objected to the principle whenever it came up, in whatever shape or form.

Mr. O'NEILL, adverting to the statement that the grant had continued to increase while the Irish Presbyterians had diminished, said, that if the request of the deputation of last year had been acceded to, the Presbyterians would have guaranteed that no further increase would be asked for. Though the Presbyterians had diminished absolutely, yet relatively to the population of Ireland generally they had increased more than 1 per cent.

Mr. HADFIELD said, he should certainly press his Motion to a division.

The Committee *divided*:— Ayes 33; Noes 106: Majority 73.

Original Question again proposed,

Mr. Alderman LUSK then moved a further Amendment, to the effect that the sum of £346 3*s.* 4*d.* for new congregations, being at the rate of £69 4*s.* 6*d.* for each, should be disallowed. If they could not get rid of the payments to the old congregations, he thought they should put a stop to any fresh charges being made upon the taxpayers of the country. He should no doubt be told that the sum was small, and that it was hardly worth while to stop it, but however small the sum was the principle was bad, and he did not wish to see it extended. They should endeavour to win the loyalty of the Irish people by equal and just legislation, and not by bribes such as these. They ought not to ask Irishmen to sell their birthrights for a mess of pottage. Principles, and not expediency, ought to guide all Governments. There was some reason why the present recipients of the grant should not be disturbed in the receipt of it, but he thought they ought not to increase the grant by extending it to new congregations.

Motion made, and Question put, "That the Item of £346 3*s.* 4*d.*, for New Congregations, be omitted from the proposed Vote."—(*Mr. Lusk.*)

Lord NAAS hoped the hon. Member would not divide the Committee on his Amendment, which was substantially the same as had been just decided. It would be unjust if the Committee did not recognize the claims of new congregations. The conditions on which new congregations were established were — that the pastor must be an ordained minister; that the congregations must comprise twelve families, of not less than fifty persons; and that the minister was in receipt of £35 per annum. And these conditions were rigidly enforced before any grants were made. The establishment of any new congregation was an argument in favour of the continuance of these grants, and as evincing increased activity in the body. He hoped the Committee would not take so serious a step as to adopt the Amendment.

MR. HADFIELD supported the Amendment.

The Committee *divided:* — Ayes 41; Noes 78: Majority 37.

Original Question put, and *agreed to.*

(2.) £35,945 to complete the sum for Royal Palaces.

MR. ALDERMAN LUSK complained of the Government allowing an action against the sheriffs of London and Middlesex for serving a writ upon an individual residing in Hampton Court Palace. He thought it was very unfair on the part of the Government or the Attorney General to allow the sheriffs to be put to these law expenses when they were only doing their duty in carrying out the law.

LORD JOHN MANNERS said, the Judges had now decided that writs do run in Hampton Court Palace, and the question would not arise again.

MR. ALDERMAN LUSK said, what he found fault with was that those who were responsible—the Government or the Law Officers—should have allowed the action to be brought and prosecuted against the sheriffs. Those who nominated persons for residence in the Palace should be careful whom they selected.

LORD JOHN MANNERS said, it was the first time the question had arisen. Writs were supposed not to run in the Royal Palaces, and it was necessary that the law should be determined.

MR. AYRTON said, that, considering the large amount of money expended upon so many Royal Palaces, it was very much to be regretted that in these Palaces we could not find or provide accommodation for distinguished visitors. If the authorities would inquire into the way in which they were occupied, it would be found that they might be appropriated so that, when any person of distinction visited this country, he might be received as the national guest, and not left to wander about. It could not be that we failed in our duty through want of space, for the Palaces contained a great many rooms and occupied large areas, and it was to be supposed that the rooms were occupied in some way. He would not say that they were misappropriated; but they must be allotted to those who occupied them by some constituted authority, and they ought to be so appropriated that a Palace could be used to meet extraordinary requirements. By our defaults in hospitality the position of this country was injured in the eyes of foreign nations. It was not merely that a slight was offered to the individual Prince or visitor, whose feelings might be a secondary matter; but his feelings were shared by the community or nation he might be said to represent. No doubt, the feeling that he was not treated here with the same honour or distinction that he was elsewhere, was, to a large extent, participated in by his own subjects, and produced a certain amount of ill-feeling. The subject was one that deserved the attention of Government. Looking to the number of Royal Palaces, some which were not, and could not, be occupied by the Sovereign, and looking at the amount of money expended upon them, he thought arrangements might be made for a better appropriation of the rooms within them, so that we might, at all times, be able to provide for the reception of persons of distinction. It was a derogation from our monarchical principles that the Sovereign did not undertake the duty of representing the nation in relation to foreign Princes. We were really converting our Government into a republic, if, when a foreign Prince came, the Sovereign of England was not able to receive him on behalf of the nation, and the duties of hospitality had to be undertaken by public subscription, unless some bountiful nobleman happened to step in and save the nation from this disgrace. He always understood that, in our relations with foreign States, the Sovereign was the only person who ought to act on behalf of the nation. It was not—and it ought not to be — content that such relationships should be confined to negotiations carried on by Ministers of State and Ambassadors. If there were duties that the Sovereign only ought to undertake, it was extremely wrong for any private subject to intervene and discharge them. He hoped that not another year would pass without the amount they were now about to Vote, and would be called upon to Vote again, being so appropriated that it would be in the power of Her Majesty, on the occasion of the future visits of foreign Princes, to place at their disposal a suite of apartments, in town or country, suitable to their station and dignity, and in which they could be appropriately entertained.

THE CHANCELLOR OF THE EXCHEQUER: The subject to which the hon. and learned Gentleman has called attention is undoubtedly one of importance, and is at this moment under the consideration of Her Majesty's Government. But the hon. and learned Gentleman and the Committee must understand that in order to accomplish all that is necessary in this respect, Her Majesty must be supplied with the means of receiving guests of great distinction—Sovereigns from various parts of the world—in a manner becoming the dignity of the nation. Now, with regard to this charge of £41,000 which the hon. Gentleman thinks could be fairly administered for that purpose, it should be remembered that when you have a great many old buildings to keep up, such a sum is not adequate to effect the purpose which the hon. Member contemplates, and which, I agree with him, should be effected. The hon. and learned Gentleman says that there are a great many Palaces which might be placed at the disposal of illustrious guests; but if he examines the subject and considers the various Palaces which Her Majesty possesses, he would find that though there are some fine Royal Palaces in England, yet if a foreign Sovereign becomes the guest of Her Majesty he wants to be in London. [An hon. MEMBER: Kensington.] Well, but Kensington is hardly London; though, nevertheless, it is of all places exactly the site in which I should be glad to see a fine Palace erected. But the present building is not a Palace, and those buildings which are by courtesy called Palaces in the metropolis really have not the requisite accommodation. Even St. James's Palace—though containing a suite of State rooms not contemptible—is in all other respects deficient. Now, if the House of Commons would only consider this subject in the light in which it has been viewed by Her Majesty's Government, and which is one of interest and importance to the country, it would be well that they should think what should be done to turn the site now occupied by Kensington Palace to account for the purpose which the hon. Gentleman contemplates. If a suitable Palace were built upon the spot, though the whole were not appropriated to the reception of foreign Sovereigns, a portion, commensurate with the occasion and the circumstances, might be reserved for that purpose, and a portion for the ordinary purposes of the service of the Sovereign. Now, the cost of these royal receptions is a thing which a country like England ought not to grudge. There is an impression abroad that such receptions might be furnished from means already in existence; but a great misapprehension prevails in that respect. No doubt the Civil List of this country is considerable in amount, and has hitherto been found sufficient for all occasions and circumstances contemplated. It should be remembered, however, that we are now in the midst of a reign of considerable duration, and which I trust may yet be prolonged for very many years, and never during all that time has an appeal been made to Parliament for anything beyond the amount fixed for the Civil List. The Civil List accounts, it will be satisfactory for the House to know, have been kept with strictness, the expenditure is under complete control, and the administration of the funds conducted with great ability, and under no circumstances, even when very considerable hospitality has been exercised, has there been any excess of expenditure. The Civil List is intended only for the ordinary expenses to which the Crown is put. It is audited by a public officer, and the mode in which the money is expended is known. It does meet the demands upon it, and has been so managed that it has never exceeded those demands—a circumstance almost unprecedented in the history of this country. Now, the Committee should remember when the expense of the Royal Household of this country is contrasted with that of other countries, and unfavourably contrasted as far as regards the reception of foreign Sovereigns at home and abroad, that the Civil List of some foreign Monarchs far exceeds the Civil List of our own Sovereign. It is not convenient to refer too much in detail to matters of this kind, but when I hear hon. Gentlemen often speak of the appropriate splendour with which foreign Sovereigns who have visited some great Emperor have been received, and contrast that with the mode in which they have been received when they have come as visitors here, I must remind them that there are Civil Lists amounting to, or even exceeding, £1,000,000 sterling in the enjoyment of such Sovereigns, and though the Civil List of the Sovereign of England is not on a restricted scale, and has been adequate to the expenditure of the Crown, still it cannot for a moment vie with Civil Lists arranged on so vast a scale of expenditure and resource as those to which I have referred. All these circumstances must be considered by the country and its representatives if they wish any very great change to be made in the manner in which foreign Sovereigns are received in this country. Notwithstanding the general complaints on the subject, there are really no Palaces in the metropolis that are available ; and if we wish to have a Palace fitted up and devoted to such purposes—and I am myself of opinion that it is desirable that should be done—we must really make up our minds to consider it as a matter of business, and not suppose that by making complaints and speeches, a parcel of old buildings can be made to serve purposes to which they are not in the least adapted. If we wish them to fulfil such offices in a manner worthy of the country and its Sovereign, an extraordinary expenditure must be incurred, from which the country must not shrink, and the Civil List of our Sovereign must not be compared with that of other Sovereigns, whose mode of receiving their Royal guests is unjustly contrasted with that which is observed here.

Mr. Alderman LUSK was ready to agree that we ought not to be mean or shabby, but it could not be contended that £42,000 was not an adequate amount to be expended on the repair of the Royal Palaces in a single year. He thought the right hon. Gentleman had not so much as offered an explanation of the circumstances, which were matter of general observation and complaint. He did not know why they should not be furnished with a list of all the apartments in the present Palaces, and the persons by whom they were occupied. He should be glad to know for what purpose the expensive establishment of stables was kept up.

Mr. KENDALL thought that a great mistake had been made by complaining of the reception given to the foreign Sovereigns who were in this country at present. Night after night hon. Gentlemen got up and talked about the matter. Would it not have been wiser to let the matter pass, and not to make the thing worse by dwelling upon it? He appealed to the hon. and learned Member for the Tower Hamlets whether he had acted discreetly in making the observations which had just fallen from him, and which would probably be translated to those august personages in the morning. He was surprised that such observations should have come from a Member of the acumen of the hon. and learned Member for the Tower Hamlets. However, to talk much was a great pleasure to the hon. and learned Gentleman. He thought greater mischief had been done by the remarks which had been made on the error — if error there was—which had been committed, than any one could possibly conceive. What should an Englishman do if he found that the country or the Sovereign had made a mistake but to keep it in the background, rather than drag it before the public?

Lord JOHN MANNERS wished to observe, in answer to the question put by the hon. Member for Finsbury, that the Royal stables were appropriated to the breeding stud, which it was of great importance to keep up.

Mr. THOMSON HANKEY said, a question had been asked as to where a foreign Sovereign could be received. Now, he wished to ask whether on former occasions during the reign of Her Majesty, foreign Sovereigns, such as the Emperor of Russia and others, had not come to this country and been received at Buckingham Palace? A certain discredit had been thrown on the nation as apparently unwilling to entertain foreign Sovereigns, and that he thought an unfortunate circumstance. If the nation had been asked for money and had refused it, the House of Commons might be called anything that anybody might choose to call it; but he was not aware that the House of Commons had ever been asked to give any money for the purpose. The House of Commons knew that foreign Sovereigns had been entertained by our Sovereign without any application to Parliament; but if any deviation from the usual practice was necessary on the present occasion, the nation had a right to expect that an appeal would be made to the House of Commons, and that they would not have been driven to the necessity of relying on the patriotism of a private individual, or accepting an offer generously made, to do that, in fact, which was the duty of the nation.

Mr. AYRTON said, that the hon. Gentleman opposite (Mr. Kendall) had complained that he had been in the habit of making speeches about the reception of foreign Sovereigns. But if the hon. Gentleman got up to make statements, he ought at least to know what had been going on. In point of fact, he (Mr. Ayrton) had not made a single observation on the subject before that day. If the Government did not wish this subject to be raised, they ought not to have brought on at that time a Vote which expressly raised the question. He thought that if any foreign Sovereign had cause of complaint, it would be a consolation to him to know that the House of Commons sympathized with his feelings, and were disposed to do all they could to prevent a recurrence of any slight that might have been offered. His observations had been confined to the question before the House. It was the Chancellor of the Exchequer who had enlarged the discussion from the appropriation of the Palaces to the disposition of the funds voted for the Civil List, of which he (Mr. Ayrton) knew nothing. All that the Committtee had before them was the fact of there being a number of Palaces, some of them not inhabited by Her Majesty, and what he contended was, that, being at some time or other inhabited by the Sovereign, they could not be such mean buildings as to be incapable, by a judicious expenditure, of being made suitable for the Sovereigns of foreign countries. He considered the remarks of the hon. Member opposite (Mr. Kendall) as unfounded in fact as they were unjustifiable and uncalled for.

Mr. KENDALL said, he could not apologize for a word he had uttered. He would appeal to the common sense of the Committee whether the hon. Member was justified in referring to the treatment of foreign Sovereigns, and making a grievance out of the way in which they were received.

The CHANCELLOR of the EXCHEQUER said, he had not blamed the hon. and learned Gentleman for bringing up the subject, for he was glad that it had been discussed. He had only wished the Committee clearly to understand the facts of the case, as they would probably have to be investigated. With regard to the old buildings in London, which were called Palaces, they were all inhabited by members of the Royal family; but none of them were in a condition to be available for a Sovereign who was our guest. He understood the remarks of the hon. Member for Peterborough (Mr. Hankey) to apply to a complete Palace with all its accommodation and equipment, which might be placed at the service of Royal visitors. Buckingham Palace, however, was Her Majesty's own residence, and was really the only Palace we had. It was a bad Palace indeed for the chief Palace of a great country like England; but it was, nevertheless, a Palace royally equipped and furnished. But what had Her Majesty done? She had invited the Sovereign of Turkey to this country, and had placed that Palace at his disposal. He was at present her guest there, and no other Sovereign could be Her Majesty's guest at the same time, for, although a certain number of private rooms were appropriated to any Sovereign staying there, the whole of the State apartments were at his disposal, and in them the Sultan, only the other day, had receptions of the diplomatic corps and other important bodies. We could not have two Sovereigns at one time guests in the same Palace. He trusted that this conversation would induce the Committee to reflect that we had no means in this country of giving that reception to guests of the Sovereign which became a country like England, and that there were no peculiar funds which were competent for that purpose. The Committee must fairly consider what steps were necessary under these circumstances, and he had no doubt they would do so.

Mr. GLADSTONE said, that the observations of the right hon. Gentleman opened a very wide field indeed. The right hon. Gentleman had said that there were no Palaces where Her Majesty could entertain guests, and that there were no pecuniary means available for such a purpose. He had not expected to hear in a discussion of this nature, remarks which ought, if well founded, to be offered by the right hon. Gentleman in a formal and careful statement, on proposing to repeal the present Civil List Act, and to introduce another. As for the doctrine that no pecuniary means were available for the entertainment of foreign Sovereigns, his hon. Friend (Mr. Hankey) had put a very plain question, which the Chancellor of the Exchequer had totally misunderstood, and in doing so, had deprived Her Majesty of the very great honour and credit which justly belonged to her. His hon. Friend had asked whether it was not the fact that the Emperor of Russia had been received and entertained by Her Majesty in her own Palace, at her own expense, without any complaint on the part of any one of the meanness of that reception, and, indeed, as he would venture to add, with a universal acknowledgment of its worthiness. Now, he could answer that question from his own recollection in the affirmative, and could add that the Emperor of the French, Louis Philippe in his time, the

King of Italy, and various other Sovereigns had been entertained by Her Majesty on various occasions with a splendour and liberality worthy of her character and her station, without any complaint ever going forth, and without any application to Parliament or any intimation by the Ministers of the Crown that such applications were to be made. It was doubtless true that very little faith was kept by many former Sovereigns with the representatives of the people with regard to their public expenditure; but it had become not the least among the honours of the present reign, and certainly not the least among the circumstances redounding to the personal honour and credit of Her Majesty, that while the strictest good faith had been kept with the representatives of the people under the provisions of the law respecting the expenditure of the Court, all entertainment and hospitality had for some time been maintained upon a scale little known in former years. This was attributable to judicious control, to the wisdom of Her Majesty, and of the late Prince Consort in his lifetime, and also to the wisdom of those selected to serve them in their household, and the whole of these great operations had been carried on with perfect satisfaction to the country, and with great honour to the Sovereign. These proceedings, he would add, had been of great political importance, for there was nothing more important than that the pecuniary covenants entered into between the Crown and the people should be rigidly observed. He disapproved exceedingly of the kind of disturbance imported into these arrangements by vague observations used by a Minister of the Crown in the responsible position of the right hon. Gentleman. If there were a change of circumstances, if there were new occasions calling for new arrangements, let those arrangements be deliberately proposed to Parliament; but he did not think this kind of preparation of the mind of the House of Commons, through these vague intimations, was at all desirable. This doctrine of the preparation of the mind of Parliament was a thing of which they had lately heard a good deal, and it was considered a great proof of skill in the control of public affairs; but he was of opinion that such proposals, when made, should be made directly, and not in this vague manner, as though they were matters of secondary consequence. However that might be, there was no doubt that whenever the right hon. Gentleman thought fit, or found occasion to introduce the subject, the House would entertain it with the attention which its serious nature deserved. His object, however, in rising had not been to animadvert on the remarks of the right hon. Gentleman, but to supply from his own recollection, which was perfectly fresh, an answer to his hon. Friend (Mr. Hankey) and for the purpose of securing to Her Majesty, in the view of the House, that credit which was most justly deserved by the Crown, and all those concerned in the conduct of what might be called the personal affairs of the Crown, for maintaining on a magnificent and worthy scale the hospitality and splendour of the Court without any burden on the people.

(3.) £95,805, to complete the sum for Public Buildings, &c.

(4.) £10,500, to complete the sum for Furniture in Public Departments.

(5.) £100,326, to complete the sum for Royal Parks, Pleasure Gardens, &c.

Mr. O'BEIRNE wished to know whether any arrangement could be made by which the drive over Constitution Hill could be opened to Members of Parliament when coming down to attend their duties?

Lord JOHN MANNERS said, that the privilege of allowing carriages to pass over Constitution Hill was exercised by the Crown under the advice of the Home Secretary, and the Department of Works had nothing to do with it. He believed that the privilege was sparingly given on account of the proximity of the carriage-way to Buckingham Palace. The gateway of the triumphal arch was so narrow that it would not be wide enough for much carriage traffic.

Mr. O'BEIRNE said, there was ample space on both sides of the triumphal arch through which carriages could be admitted.

Sir COLMAN O'LOGHLEN asked whether permission could not be given for the carriages of Members to pass over Constitution Hill during the absence of the Queen from Buckingham Palace?

General DUNNE rose, pursuant to Notice, to move to reduce the Vote by the sum of £18,407. A part of this amount was to go towards repairing the damage done to the Hyde Park railings by the mob, and the other part was for putting back the line of railings in Park Lane. He objected to these expenses being paid for by the whole country. In the first case the damage was done by a lawless rabble, who had been collected by a set of reckless and seditious agitators, under pretence of petitioning this House, but in reality of breaking the law and forcing themselves into the parks. In Ireland, when outrages on property were committed, the law—and it was not the law of Ireland alone—placed the reparation of the damage done upon the district in which it was committed. He recollected that last year, when a number of windows of a club, of which he was one of the Committee, were broken, he directed the solicitor of the club to seek for damages. It was not denied that in such cases damages could be recovered, but through some technicality as to insurance he was prevented from pressing the matter. He did not see why, when outrages were committed by rioters in London, London should not be made to pay for the damage that was done. That was the law in Ireland, and he believed it was also the law in the rest of the United Kingdom. The old rule of English law was that all such damage ought to be made good by the hundred. It was very unfair to the people of the provinces that they should be taxed to repair the havoc committed by a London mob, and such an objectionable demand as that was not merely an Irish grievance, nor a grievance of any particular locality; it affected every rural town and district—every one who lived out of London; it opened a wide question between the metropolis and the rest of the country. It was said there were Irishmen—Fenians—in the mob that threw down the railings of Hyde Park, and possibly that was the fact; but let a Return be obtained of how much damage was done by Irishmen on that occasion before Ireland was required to pay for it. The hon. and gallant Gentleman concluded by moving—

> "That the Vote for the expenses of Hyde Park be reduced by a sum of £18,407; that it is just and expedient that the amount necessary to repair the damage done to the railings and Park itself by a mob of rioters, some months since, should be levied on the City of London and Metropolitan districts in the same way as damage caused by similar outrages is levied in Ireland, and that such procedure is in accordance with justice and the ancient Law of England."

MR. THOMSON HANKEY entirely objected to the proposal of the hon. and gallant Gentleman to transfer the burden of that Vote from the Consolidated Fund to the householders of London, who were innocent of the riotous conduct referred to. The hon. and gallant Gentleman's own countrymen, no doubt, had more to

do with those riots than the householders of London, and it was monstrous to propose that that charge should be defrayed by the Metropolitan Board of Works out of funds levied from the house property of London. It had been suggested that the damage in that case was done by the compound-householder; but he believed that neither the compound nor the simple householder was responsible for it. The only way in which the Parks could be properly kept up was by charging their expense to the Consolidated Fund.

MR. HARVEY LEWIS would certainly vote against the proposition, which was most unjust. Even according to the hon. and gallant Gentleman's own argument that charge ought not to fall on the metropolis as a whole, but upon the particular parish or district where the injury was done. He contended that the public Parks of the capital should be maintained out of the Imperial Exchequer.

LORD JOHN MANNERS said, the hon. and gallant Gentleman was under a misconception as to the law relating to that subject. By the 7 & 8 *Geo.* IV. c. 31, any damage done in a riot to any church, chapel, or other building was recoverable from the hundred in which it occurred; but that statute contained no reference to the damage done to a fence. The iron railing round Hyde Park was not a building, but a fence; and any attempt to proceed against the hundred under that statute would have failed. He therefore thought the hon. and gallant Gentleman would hardly wish to press his Motion. Even if the proposal had been quite a practicable one, it would have been very questionable on the broad grounds of policy.

MR. ALDERMAN SALOMONS also objected to the Amendment.

MR. ALDERMAN LUSK said, he had already put a question to the noble Lord the First Commissioner of Works respecting the flowers in Hyde Park, and he hoped the noble Lord would give him a reply. He wished the noble Lord would direct his attention to the north side of that Park, which was not nearly so well kept as the south. The north side was left in a destitute state, and was frequently covered with weeds. He also hoped the noble Lord would bestow some attention to the walk by the monument in Kensington Gardens, which a few days ago was in a scandalous and disgraceful state, being overgrown with weeds.

SIR PATRICK O'BRIEN wished to call

the noble Lord's attention to the fact that eight or ten years ago a sum of £300,000 or £400,000 was voted by the House for the laying out of Battersea Park, on the understanding that that amount was to be recouped by the conversion of land in the neighbourhood, which was then of no possible value, into valuable building sites. He believed that although about £500,000 had been voted for that Park, none of the money had been recouped. No doubt the improvement made was very considerable, and anything but an attractive locality had been converted into an agreeable Park; but it was a question whether faith had been kept with the country, and it was only fair that the House should know when the money would be received which had been advanced on a direct promise of the Government that it should be repaid. Not only had that money not been repaid, but an annual Vote was passed for the purpose of keeping up the Park, which it was originally understood would be self-supporting. The Vote for Battersea Park this year was £1,000 in excess of that of last year.

In answer to Mr. Alderman LUSK,

LORD JOHN MANNERS said, he did not think it was desirable to have precisely the same arrangement of ornamental flower beds all round Hyde Park. Everything had been done on the North side which was consistent with keeping that portion of the Park in the state in which it was designed to be kept. He hoped that next year the Vote for the Park would be smaller than the present Estimate. With regard to the point raised by the hon. Baronet (Sir Patrick O'Brien), he must observe that the original design of converting the outlying portions of land round Battersea Park into building sites was being gradually carried out. Arrangements were now in progress for letting on building leases a considerable part of the reserved land, and he had every reason to believe that before long the original anticipation with respect to the remunerative nature of the property would be realized. It was true the Vote for maintaining Battersea Park exhibited an increase this year; but £400 was for stopping up a pestiferous open drain, and £500 for the finishing of a wall dividing the Park from the river, without which the Park would not be complete. The other items of the Vote also were such as could not fairly be objected to. He wished to add that during his predecessor's occupancy of office everything that was necessary was done for the improvement and embellishment of the Park; and the result was that Battersea Park afforded a remarkable illustration of what could be done by combination and perseverance in transforming one of the most unsightly districts into one of the most beautiful Parks in the country.

MR. NEVILLE-GRENVILLE wished to bear witness to the admirable order of the roads in the Parks, contrasting, as it did, with the disgraceful state of the roads of the metropolis generally. He was glad to observe that the roads in the Parks had been crushed by means of steam rollers, and he hoped the Metropolitan Board of Works would apply that method of crushing to the laying down of stones in the streets, instead of leaving them to be crushed by the carriages and horses which traversed them.

MR. COWPER wished to enter his protest against the suggestion of the hon. Member for Finsbury (Mr. Alderman Lusk) that the north side of the Park should be treated in a similar manner to the south side. At present there were a number of fine shady trees on the north side, with fine smooth grass beneath; and he thought it would be a great loss if the shrubbery on that side were removed to make way for flower beds. He wished to add that, in common with the rest of the public, he felt much pleased at the admirable manner in which the noble Lord had arranged that portion of the Park, thereby adding great beauty to the metropolis, and affording means of enjoyment to a large number of people.

Amendment *withdrawn.*

MR. ALDERMAN LUSK, in explanation, said, he had not stated that he wished the north side of Hyde Park to be treated in the same way as the south side; what he said was that he wished the north side to be better kept.

In reply to a Question from Viscount ENFIELD,

LORD JOHN MANNERS said, that the new rails in Hyde Park, on the side of Park Lane, were to be completed by the 15th of October in the present year, and the rest of the rails by the 15th of July next year.

MR. LABOUCHERE said, there was an item of £1,542 for Chelsea Hospital and grounds. He wished to ask the noble Lord, whether, to meet the wishes of the inhabitants of the district, greater facilities could not be given for entering the grounds, in the shape of more gates on the river side, and whether a greater number of seats could not be provided in the grounds, particularly in the Lime Tree Walk?

LORD JOHN MANNERS said, if he could be convinced that more entrances were required, he should be happy to provide them; but he thought that there was already very convenient access to the grounds, and to multiply gates without a necessity would be an evil. With regard to the seats in the grounds, he would do all he could to accommodate the public; but he believed that the Chelsea Hospital grounds were as well provided with seats as other grounds.

Vote *agreed to.*

(6.) £45,137 to complete the sum for Houses of Parliament.

MR. NEVILLE-GRENVILLE inquired whether there was any chance of better accommodation being afforded in the other House for Members of the House of Commons? On ordinary occasions there was standing room for a few below the Bar, and there were also a few seats in the gallery for Members of the House of Commons, and when any complaint was made of the scantiness of accommodation, they were told that if they wanted to hear speeches they could hear plenty in their own House. There were, however, occasions when the House of Commons was summoned to the other House to hear the Speech from the Throne, and then the usual accommodation was even diminished, and on the Speaker asking hon. Members to walk into the House of Lords with due decorum they found the few standing places taken by others, who, he understood, were not Members of the House of Commons. He trusted that in future the Commons would be better treated in the House of Lords, for every courtesy was shown in accommodating the Peers when they wished to hear the debates in the House of Commons.

SIR COLMAN O'LOGHLEN said, the question which had been raised by the hon. Gentleman who had just addressed the Committee was a very important one, inasmuch as it concerned the honour and dignity of that House. The scramble to get places in the House of Lords to hear Her Majesty's Speech was disgraceful, and, after all, hon. Members were so crushed and crowded that it was impossible for them to hear Her Majesty. He thought that some arrangement should be made in order that the Commons, when summoned to the other House, should have at least decent accommodation. There was another subject upon which he should be glad to receive some explanation from the noble Lord the First Commissioner of Works, and that was the accommodation provided for Members of the House in the dining-room. That was a very important room, especially for Gentlemen occupying the position of Ministers; and he was glad to notice that a great many Members of the present Government were patrons of the dining-room. Last year a proposition was made to enlarge the present dining-room, and a plan for the purpose, which received the approval of 150 Members of that House, was drawn up; but he understood that it was now abandoned, and that a suggestion was made to turn the present tea-room and rooms adjacent into a dining-room. It had also been suggested that the Lords and Commons might dine together in the same apartment. He should like to know whether any plan had been proposed and sanctioned for a new dining-room?

MR. THOMSON HANKEY observed that part of the Vote was intended for the purchase of paintings, and he was sure that every Member must have noticed with sorrow the disgraceful state of the paintings in the corridors after the sums of money expended on them. Many of these works were already hastening to decay; and he wished to repeat a suggestion which he had frequently made before, that a glass covering should be placed in front of the pictures, which would protect them from the accumulation of dust and dirt, just in the same manner as many of the pictures in the National Gallery were protected. He threw out that recommendation by way of an experiment, and he could see no reasonable objection to its adoption.

MR. BENTINCK considered it a matter of great doubt whether glass would be useful in the way suggested. At any rate, he feared the pictures were so far gone as to be past recovery. Under these circumstances, it would be prudent to consider whether the three new paintings which had been ordered from Mr. Ward should be placed in some room where they would be less liable to injury than in the passages or Lobbies of the House.

MR. HARVEY LEWIS wished to be informed when it was likely that the Committee appointed to consider the expediency of making further accommodation within the House for hon. Members would present their Report. There was so little accommodation at present that many Members were on some occasions obliged to sit on the steps of the gangways, and almost on each other's knees.

MR. ALDERMAN LUSK hoped that the Committee referred to would be very careful how they recommended any very extensive alterations in the construction of the House, at a large expenditure of money. He did not think that the House was much too small, after all. It afforded sufficient accommodation for the transaction of their ordinary business; and, if it were much enlarged, Members would find it very difficult to make themselves heard. He believed, however, that they had good reason to complain of the absence of proper arrangements for their accommodation in the House of Lords on those occasions on which they were summoned to meet Her Majesty in that House. It was not dignified that they should be compelled to stand up in that little pen, as if they were in a dock, and as if they were nobody at all. A seat ought, at all events, to be provided for the Speaker at those State ceremonials.

LORD JOHN MANNERS said, that although a good deal of confusion had frequently prevailed on those occasions on which the Commons were summoned to appear at the Bar of the House of Lords, he believed that the evil had been greatly diminished this year in consequence of the precautions which had been adopted for keeping clear the passage between the two Chambers. With respect to the accommodation provided in the House of Lords, they were under the same difficulty as was experienced in that House—namely, that although the accommodation was sufficient for the transaction of their ordinary business, it was not so on extraordinary occasions like those of delivering a speech by the Sovereign. He was not inclined to say that increased accommodation could be more easily given for Members of the House of Commons in the House of Lords than it could for Peers in the House of Commons. The arrangements generally were as convenient as they could be for the general transaction of business. As regarded the dining-room accommodation, the House was aware that that was one of the questions submitted to the consideration of the Committee of which the right hon. Member for Newcastle was the Chairman. At present Mr. Barry had proposed a plan which would remove the dining-room from its present site to the conference-room, the tea-room, and the adjoining Committee-room which was at present used by the House of Lords. That idea had, he believed, originated with the hon. and learned Member for the Tower Hamlets, and it appeared to him to be a very good one; but, in order to carry it into effect, it would be necessary to obtain the sanction of the House of Lords who were interested in the proposed change. He believed the Committee of the House of Lords were directing their attention to the matter, and he hoped that their decision with respect to it would be made known before the termination of the Session of Parliament. The question had also been brought before the Committee of that House, but ultimately they found—

THE CHAIRMAN reminded the noble Lord that it would not be in order to refer to the proceedings of a Committee which had not yet made its Report to the House.

LORD JOHN MANNERS hoped that after that decision of the Chairman, hon. Members would excuse him if he did not enter further into that matter. The whole subject was under the consideration of the Government, and it would be evidently unbecoming upon his part to express any decided opinion with respect to it at that moment. Allusions had been made to the state of the frescoes in the Houses of Parliament, and upon that point he had, in the first place, to state that opinions were very much divided as to whether such works could be preserved by covering them with glass; but he was afraid that no precaution they could take would preserve those on the walls now, which seemed hastening to decay. But if the hon. Member for Peterborough (Mr. T. Hankey), or any other Gentleman would communicate with him upon that subject, he would be perfectly ready to entertain any suggestions they might offer. In reference to the new paintings of Mr. Ward, he had to observe that they had been ordered for particular localities in that House, and he was not prepared to say whether or not they could be appropriately placed anywhere else. He hoped, however, the progress of discovery in science and art would soon furnish them with some means of preventing the extraordinary decomposition to which frescoes seemed to be subject in this climate, but he did not entertain any strong hopes that anything would arrest the progress of decay in those which were at present on the walls.

Mr. AYRTON said, that the difficulty they were in with respect to procuring increased accommodation when they were summoned to the House of Lords was, that the general government and management of the House was not under one sole and undivided authority. The petty inconveniences to which the Members of the House of Commons were subjected amounted in the aggregate to a serious annoyance. Undoubtedly, it was a great misfortune that the architect who planned the House forgot that upon certain occasions it was necessary for the whole of the Parliament to come together. The noble Lord seemed to have given the whole matter up in despair; but at all events measures might be taken to secure that the passages between the two Houses of Parliament should be kept perfectly clear. At present, although the Speaker could control the Members of the House, he had no control over the large number of strangers always to be found in the Lobby, and the consequence was, that directly after the Speaker had passed on his way to the House of Lords, those strangers rushed in pell-mell with the Members, and they all made their way to the other House in the most confused manner. There was not at present the slightest barrier, and he suggested that on such occasions one should be put up, whether of iron, wood, or rope. He also thought that the Bar of the House of Lords could be advanced a little nearer to the Throne without the slightest inconvenience to the House of Lords, and thus space for sixty or seventy more Members might be provided. A temporary stage raised a few inches would be quite sufficient to enable Members who were behind to see over the heads of those in front, and the whole might be provided without much expense. With respect to the enlargement of the House of Commons, he thought that they would be very unwise to embark hastily in any such scheme. The House was quite large enough for the despatch of the ordinary Parliamentary business; and it was to be remembered that it was not built as a theatre, where the speakers spoke from the stage to the audience, but as a room, in which the speakers spoke from their places. If the House were enlarged, although it was possible that great orators might make themselves heard, other Members would find it difficult to do so. At present there were two parties who had to be consulted in a building upon all questions of acoustics, the architect and the ventilator. No matter how the architect formed the Chamber, it was in vain for a man to expect to be heard unless the ventilator allowed him to do so. The ventilation at present was by means of a current of air ascending from the floor of the House, which acted as a complete screen between the Members on one side and the other, so that there was very great difficulty in Members hearing one another; and that difficulty would be greatly increased in the event of the House being enlarged, unless some other scheme of ventilation were adopted. He was very glad to find that the noble Lord did not seem to give much encouragement to that idea.

Sir ANDREW AGNEW suggested that the wooden shed in Palace Yard, under which the horses stood, should be removed, as it was very unsightly, and spoiled the effect of the building of the Houses of Parliament.

Mr. WALROND said, the hon. and learned Member for the Tower Hamlets based one of his remarks upon the deficient acoustic properties of the House upon the fact of the air raised through the middle of the floor by a process of ventilation forming a kind of screen, which prevented Members on one side hearing what was said by those on the other. That was by no means the case. On the contrary, when any one wished to hear any particular speech, he generally went to the gallery opposite to the side on which the Member was speaking. The screen of air, therefore, assumed by the hon. and learned Member to exist, must be as unreal as it was invisible.

Sir HENRY WINSTON-BARRON thought the space allotted to the Members of the Lower House in the House of Lords might be very considerably increased if the whole of the space below the Bar, part of which was at present given up to the fair sex, were entirely appropriated to Members of the House of Commons. He did not think he was suggesting anything unreasonable or ungallant in this, as the present state of accommodation was disgraceful to the country, the House of Lords, and the representatives of the people.

Sir MATTHEW RIDLEY said, there was an item in the Vote for the execution of two more statues of the chronological series of English Statesmen. He wished to know whether it was the intention of the Government to proceed any further with the execution of this series of statues for the Houses of Parliament; and, if so, whether the artists to be employed were to be those who had executed those already placed?

Lord JOHN MANNERS, in reply to the hon. Baronet the Member for Wigtonshire (Sir Andrew Agnew), said it was proposed to pull down the whole of the Law Courts at Westminster, and that the unsightly shed complained of would also be removed. It would be premature, therefore, to take away the shed at present, because, even though a more elegant structure were placed in its room, this again would have to be taken down when the time arrived for the abolition of the Courts of Law. It would be better to wait until this was done, when a structure for the shelter of the cabs and horses could be put up which would be more in accordance with the general architectural characteristics of the House. In answer to the hon. Baronet behind him (Sir Matthew Ridley), he had to say that the Vote at present proposed did not open the question of fresh orders for statues. Whenever any such orders were to be given he should be glad to communicate with the hon. Baronet on the subject.

Mr. HENRY SEYMOUR complained of the inconvenience to which Members were subjected in having to come down to the House on an important night an hour before the commencement of the business in order to secure a seat to hear the debates. The inadequate accommodation of the House prevented many Members from attending upon occasions when it was most necessary that they should do so. He hoped that when the Committee at present sitting upon this subject presented their Report the Government would give it their careful consideration, and would be prepared to adopt an independent course upon the matter, and urge it upon Parliament next Session. There was not a legislative chamber in Europe or America with which he was acquainted which was so uncomfortable and inconvenient. While upon this subject he might remark that he did not understand upon what principle the decorations of the House were proceeded with, on which about £10,000 a year were spent. The pictures, for instance, in the Corridors, were merely placed in the wall without frame of any kind, and the walls themselves were not painted or decorated so as to harmonize with the pictures or set off their good qualities, but were only smeared with boiled oil. His idea was that one Corridor should be handed over entirely to a single artist, who should be allowed to decorate it with some regard to the paintings, and in order that the whole might blend and harmonize. The effect even of the statues in St. Stephen's Hall was destroyed by the bare drab walls. The Lobbies and Galleries should be placed in the hands of a man like Owen Jones for instance, who understood the principles and affinity of colours, and who would be able to make these passages worthy of the building.

Mr. COWPER said, the hon. Member for Poole had criticized the decorations of the House in a manner that would have been all well enough had his remarks been applicable; but what he had advocated and wished Parliament to do had already been done. One Corridor had been given up entirely to one artist—Mr. Ward.

Mr. HENRY SEYMOUR: Excuse me; it is not the case.

Mr. COWPER: There are eight panels in the Corridor to which I allude, and the pictures have all been painted by Mr. Ward.

Mr. HENRY SEYMOUR: The right hon. Gentleman has misunderstood what I said. What I complained of was that the whole Lobby was not handed over to one artist, so that he might decorate the framework of his pictures, and make them harmonize the one with the other.

Mr. COWPER said, the artist would have been surprised if he had been asked to become a painter of ribs, and mouldings, and bosses, and carved stone. The frescoes in the Houses of Parliament had been arranged upon a strictly methodical plan, illustrating the noblest periods of English History. The series of subjects recommended by the Fine Arts Commission had been adhered to, and they had been well executed by the best artists. With regard to the decay of the frescoes, some of those which had been painted according to the old method had faded or lost their surface; but he did not think those which had been painted in the water-glass method had thus deteriorated; and it was only fair to give this new process a trial. Respecting the size of the House, he said the Committee which had considered the architect's plans had wisely arranged that the number of seats should be in proportion to the number of Members wh ordinarily took part in the business; the proceedings of this year, however, had shown that the House was not sufficiently large. A plan worthy of consideration was to enlarge the House by extending the ground floor 130 feet by taking in the Lobby and rooms behind the Speaker's chair, without altering the House in width; that would give the increased accommodation necessary.

MR. HENRY SEYMOUR wished to point out that the placing of an odd picture here and there in stone had an ugly effect; ever since the 12th century the recognized way of decorating a building was to do it thoroughly or not at all. He regretted that the right hon. Gentleman (Mr. Cowper) had discovered a difference between a flat and a round-surfaced picture, because to draw that distinction was a disgrace to English taste. Some seemed to regard the frescoes as framed pictures, but they were only placed between stone coping rubbed with boiled oil. If the pictures were to be framed, by all means let them have a gilt frame.

MR. COWPER, so far from having made a discovery respecting round and flat-surfaced pictures, had only alluded to a fact known to most persons conversant with art. He confessed that he would prefer seeing the mouldings between the pictures in some other colour than at present, but objected to any parti-colouring such as the remarks of the hon. Member seemed to point to.

MR. BENTINCK said, that if the right hon. Gentleman would go with him into the adjacent Corridor, he would satisfy him that the water-glass frescoes had suffered as much in proportion to the time they had been completed as those in the Hall of the Poets; or if the right hon. Gentleman distrusted the evidence of his senses, let him ask Mr. Ward what was his opinion. He hoped there would be no more public money spent on these paintings for the present. When we had Michel Agniolos and Raffaelles amongst us it would be time to resume the work. What the hon. Member said about the mediæval mode of decorating buildings was quite true, but the old painters had not to deal with the Tudor, or crinkum-crankum style of architecture in which the House was unhappily built. As to the boiled oil it had unfortunately been applied not only to the walls, but to the statues, which had cost so much money, and the result was that it had ruined them. He wished to ask the noble Lord the First Commissioner of Works whether any steps had been taken to arrest the decay of the stone work of the exterior of the House. No one could pass the building without observing a lamentable decay of the stone, and it was of great importance that the matter should be looked into.

LORD JOHN MANNERS was not prepared to give a positive answer to this Question, but expressed a belief that the decay was not proceeding to the extent his hon. Friend feared. He promised, however, to let him know what had been done in the matter at some future time.

Vote *agreed to.*

(7.) £1,670, British Embassy Houses, Paris and Madrid.

MR. LABOUCHERE, inquired whether it would not be better to do away with the office of Clerk of the Works at Paris and Constantinople, and when any repairs were required to be executed at the Embassies at those places to send over a gentleman to report upon the matter from Her Majesty's Board of Works in London?

LORD JOHN MANNERS said, that both systems had been tried, and that the present one was considered the most economical.

Vote *agreed to.*

(8.) £36,000, to complete the sum for New Foreign Office.

MR. ALDERMAN LUSK asked whether £40,000 was not a very large sum to put down as fittings for those offices?

LORD JOHN MANNERS said, the offices were on a large scale, and as a consequence the fittings were also on a large scale. The library, which had to be prepared for the reception of an immense number of books, would absorb a large portion of the sum named. The hon. Member might rest assured that there would be no waste, and that the sum asked for was really necessary for the discharge of the duties of the Department.

Vote *agreed to.*

(9.) £31,000, to complete the sum for Public Offices' Site.

(10.) £13,260, to complete the sum for Probate Court and Registries.

(11.) £420, to complete the sum for Public Record Repository.

(12.) £32,000, National Gallery Enlargement.

(13.) £7,000, to complete the sum for Chapter House, Westminster.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Bentinck.*)

Motion, by leave, *withdrawn.*

(14.) £30,000, New Palace of Westminster, Acquisition of Lands.

(15.) £16,000, to complete the sum for Sheriff Court Houses, Scotland.

(16.) £20,000, to complete the sum for Rates for Government Property.

MR. SCOURFIELD complained of the unequal manner in which this grant was distributed. There was a Union with which he was well acquainted, the value of the whole property of which was £140,000, while the Government property was of the value of £20,000. If the Government property had been one-sixth of the whole, relief would have been granted, but as it was little more than one-tenth it was not rateable. He thought this arrangement was not equitable, and he hoped the Government would take it into their serious consideration.

MR. HUNT said, this question had frequently been brought under the notice of the Government with reference to particular localities. It was one, however, which ought to be dealt with in a comprehensive manner, and he hoped that he should be able to state when Parliament met again what decision the Government had arrived at in respect to it.

Vote *agreed to.*

(17.) Motion made, and Question proposed,

"That a sum not exceeding £3,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople."

MR. MONK, referring to the reductions of the Vote in 1863, and of the Estimates in the intervening years, complained of the increase this year, and moved the reduction of the Vote by £1,000.

Motion made, and Question proposed,

"That a sum not exceeding £2,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople."—(*Mr. Monk.*)

MR. HUNT said, it was exceedingly difficult to control the expenditure at such a distance. The Government had therefore sent over Colonel Gordon, an engineer officer, to exercise a general superintendence, at a salary of £300 a year. He had recommended that £350 should be spent for iron shutters at the Ambassador's residence; and he had also recommended that it was hardly worth while to repair the residence at Pera, but to build a substantial residence. The Government, however, were not inclined to go to that expense, and they directed him rather to repair the old building.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. MONK moved that the Vote be reduced by £350 for iron shutters to the Ambassador's house at Therapia.

Motion made, and Question proposed,

"That a sum not exceeding £2,650, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople,"—(*Mr. Monk.*)

MR. ALDERMAN LUSK asked what they wanted with a prison at Constantinople?

MR. HUNT hoped that the House would not assent to this Motion. They had sent out a competent person, and it would be going too far, he thought, if they could not place confidence in his Report, on so small a matter. As to the question of the hon. Alderman, he would remind him that by a treaty with the Sultan, British subjects were tried, and of course had to be punished, by our own Consuls in Turkey.

LORD ELIOT said, he had lived for several years at Therapia, and he could bear testimony to the necessity of this expense. At present there was nothing to prevent strangers from entering the house either by night or day. But he believed a considerable annual expenditure would be saved if the Government would at once erect a substantial residence there.

MR. M'LAREN thought they were just as competent to judge of this question as if they were on the spot. None of the Members of the House indulged in the extravagance of iron shutters. He was an advocate for lodging the Ambassador comfortably, but it was a mere waste of money to take as much precaution with his house as if it were a jeweller's shop.

MR. MONTAGU CHAMBERS thought they were straining at a gnat and swallowing a camel, and hoped the Committee would not divide on so insignificant a question.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(18.) £7,000, to complete the sum for Metropolitan Fire Brigade.

(19.) £56,700, to complete the sum for Harbours of Refuge.

(20.) £21,475, to complete the sum for Holyhead and Portpatrick Harbours, &c.

(21.) £55,837, to complete the sum for Public Buildings, Ireland.

(22.) £7,000, Queen's University (Ireland) Buildings.

SIR ROBERT PEEL said, the Vote was a very small one for such a purpose. A sum of £10,000 was all that was asked, though the London University had got a Vote of £65,000. He should be very glad if the noble Lord would confer with the Treasury with a view to the extension of the grant, for it was impossible that an adequate building for such an University as would be required could be erected for the sum proposed. He wished to know what site had been selected, and whether any assurance could be given that the work would be prosecuted without delay?

LORD NAAS regretted very much the delay which had taken place. Communications had been going on about one or two places fit for such a building. There was a place with which his right hon. Friend was acquainted which they had been anxious to obtain, but that, he believed, could not now be done. It was intended to take a piece of land in the neighbourhood of Dublin for the purpose, and the question would be brought to a conclusion as soon as possible.

SIR ROBERT PEEL said, it was most important that the building should be, if possible, in the centre of Dublin. The site to which his noble Friend had alluded would have been admirably adapted for the purpose.

LORD NAAS said, that the site last suggested was, he believed, not outside Dublin, but in the neighbourhood of the Exhibition building.

Vote *agreed to.*

(23.) £5,500, to complete the sum for Ulster Canal.

(24.) £36,360, to complete the sum for Lighthouses Abroad.

Mr. Montagu Chambers

(25.) £3,600, Isle of Man Lunatic Asylum.

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

PUBLIC WORKS (IRELAND) BILL.

On Motion of Lord NAAS, Bill to provide further facilities for the repair of Roads, Bridges, and other Public Works in Ireland in case of sudden damage, *ordered* to be brought in by Lord NAAS, Mr. ATTORNEY GENERAL for IRELAND, and Mr. DICK.

Bill *presented,* and read the first time. [Bill 262.]

WEIGHTS AND MEASURES (DUBLIN) BILL.

On Motion of Lord NAAS, Bill to provide for the inspection of Weights and Measures and to regulate the Law relating thereto in certain parts of the Police District of Dublin Metropolis, *ordered* to be brought in by Lord NAAS and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 263.]

WEXFORD GRAND JURY BILL.

On Motion of Colonel TOTTENHAM, Bill to validate certain proceedings of the Grand Jury of the county Wexford, *ordered* to be brought in by Colonel TOTTENHAM, Sir JAMES POWER, and Mr. KAVANAGH.

Bill *presented,* and read the first time. [Bill 264.]

House adjourned at one minute
before Six o'clock

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HOUSE OF LORDS,

Friday, July 19, 1867.

MINUTES.]—SELECT COMMITTEE—*Report*—On Vaccination.

PUBLIC BILLS—*First Reading*—Maintenance of Families * (244); Reformatory Schools Amendment * (245); Investment of Trust Funds * (246); Dogs Regulation (Ireland) Act (1865) Amendment * (247); Master and Servant * (248).

Second Reading — Industrial Schools (223), *negatived;* Sir John Port's Charity * (206).

Committee—Trades Union Commission Act (1867) Extension * (243); Prorogation of Parliament * (228); Turnpike Trusts Arrangements* (229).

Report — Vaccination * (239); Christ Church (Oxford) Ordinances * (190); Prorogation of Parliament * (228); Turnpike Trusts Arrangements * (229).

Third Reading—Offices and Oaths * (218); Merchant Shipping * (219); Patriotic Fund * (201).

Withdrawn—Meetings in Royal Parks (113).

MEETINGS IN ROYAL PARKS BILL.

(No. 113.)—(*The Lord Redesdale.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD REDESDALE said, that he did not intend to persevere with the Bill, for the reason that Government were going on with a measure on the subject in the House of Commons, and he thought that the legislation on the subject should be as large as practicable. Under these circumstances he should now propose that the Order for the second reading should be discharged.

Order *discharged;* and Bill (by Leave of the House) *withdrawn.*

MEXICO—FATE OF THE EMPEROR MAXIMILIAN.

NOTICE WITHDRAWN.

VISCOUNT STRATFORD DE REDCLIFFE, who had given notice to *move*—

> "That an humble Address be presented to Her Majesty expressing the Condolence of this House with Her Majesty on the afflicting Death of Her Majesty's near Relation the Emperor Maximilian, and their deep indignant Sense of the Violence done to Humanity and the Usage of civilized Nations by the barbarous Execution of that most unfortunate and heroic Prince,"

rose to bring forward his Motion.

THE EARL OF DERBY interposed, and appealed to the noble Viscount not to postpone his Motion only, but to allow it to drop altogether. The noble Earl said he was sure that no argument would be necessary to induce their Lordships to express their sorrow for the tragical event which had occurred to one whose conduct—whatever might be thought of its prudence—had been influenced only by the noblest motives, and whose private character would have dignified any public position. Nor would it be necessary that their Lordships should formally express the sentiments of extreme regret and abhorrence with which they witnessed the cruel system of retaliation which for many years has characterized the revolutions in Mexico, culminating at length in the unjustifiable judicial murder of the unfortunate Prince. He doubted very much whether it would be expedient for their Lordships formally to express their opinion, not of a foreign Government, but of one of the parties engaged in this sanguinary civil war. If there were any organized Government in Mexico with which Her Majesty was in diplomatic relations which had sanctioned this proceeding, it might be proper for their Lordships to address Her Majesty to direct that a representation should be made to that Government on the subject. But, as their Lordships were aware, Her Majesty's Government had no relations of the kind with Mexico—the Minister whom we last sent to that country was accredited to the late Emperor. There was at present no organized Government in Mexico which could be held responsible, and to whom any representation on the part of the Sovereign of this country could be made. It would be quite unprecedented, therefore, that their Lordships, under such circumstances, should sanction the proposal for an Address. It would also be undesirable to enter into a discussion which might re-open the whole Mexican question. He hoped, therefore, the noble Viscount would allow the matter to drop.

EARL RUSSELL wished to add his voice to that of the noble Earl in requesting the noble Viscount not to persevere with the Motion. It would not be possible to do so without entering into the whole question of the civil war in Mexico, and the barbarous cruelties which had been practised there. Under present circumstances he thought that it would not be at all advisable to proceed with the Motion.

VISCOUNT STRATFORD DE REDCLIFFE said, that appealed to as he had been by the Leaders on both sides, he could have no hesitation in adopting the course which had been recommended. His original motive for bringing the subject forward was that it had not been taken up by Her Majesty's Government; and he was not aware at the time that there was any well-grounded objection to making it a matter of discussion in their Lordships' House. But what had passed in "another place," and other circumstances connected with the subject which had been more recently brought to his knowledge, led him to the conclusion that it would be more advisable in the interests of the question itself not to persevere with the proposed Motion. It appeared to him that both sides of the House had, as far as circumstances would admit, done justice to the character of the illustrious, but unfortunate Prince, whose cruel fate was so justly to be deplored. He had now nothing further to state except that circumstances over which he could exercise no control had caused several postponements of the matter, and that so much time had elapsed since he first brought it forward, that much of what would have been appropriate at the time had since ceased to be so. Taking into account all these considerations, he concluded that he should only be meeting the general wish of the House if he gave way to the representations made by the noble Earl at the head of the Government and the noble Earl the Leader of the Opposition, and, therefore, he should not hesitate to withdraw, with their Lordships' permission, the Notice he had given.

INDUSTRIAL SCHOOLS BILL—(No: 223.)

(*The Marquess Townshend.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS TOWNSHEND, in moving that the Bill be now read a second time, said, that the Bill was introduced to make further provision respecting industrial schools in Great Britain. The Bill might be divided into two parts, the first of which related to the class of children who, it was proposed, might be detained in certified industrial schools. These were children under fourteen years of age who might be found in company with beggars, &c., or sent abroad to beg, or cruelly or illegally beaten by the persons who had charge of them, or who were found singing in the street for the purpose of obtaining money, and to boys under twelve, or girls under fourteen, offering things for sale in the streets. All these might be taken by any person before two justices, or a magistrate, who might, if he thought proper, send such child or children to a certified industrial school. The second part of the Bill related to the institution of industrial schools in the metropolis. He had followed out the plan, according to which the district asylums and hospitals were to be built under the Bill of this year. The Poor Law Board was authorized to divide the metropolis into districts, and to direct an industrial school to be formed in any; the expenses were to be repaid by the district or union who were to be repaid out of the Metropolitan Common Poor Fund. The schools were to be under the Industrial Schools Act of 1866; and he proposed that the children sent to the schools should, in addition to being taught reading, writing, and arithmetic, receive a sound and practical industrial training, with the view of making them useful and industrious members of the community. He regretted that a matter of so much importance as this had not been taken up by the Government. He should be ready to accept any suggestion for improving the details of the Bill, and moved that it be read a second time.

Moved "That the Bill be now read 2ª."—(*The Marquess Townshend.*)

THE EARL OF DEVON said, he had no desire to throw any unnecessary obstacle in the way of the Bill, the purpose of which appeared to be praiseworthy; but he must say that he entertained such strong objections to its provisions that he could not consent to the second reading. The Bill was divided into two portions. The object of the first appeared to be to extend the classes of those who might be brought within the provisions of the Industrial Schools Act of last year; while the second part had for its object the division of the metropolis into districts for facilitating the erection of industrial schools, to be placed under the management of the Boards of Guardians, and supported out of the rates. The noble Marquess proposed to extend the operations of the Industrial Schools Act of last year to children found in company with beggars; to children who were found in the company of, or encouraged to wander abroad by, persons within the provisions of the Vagrant Act; to children whose parents had been convicted of assaulting or beating them; to children singing or playing music in the streets; and to children under a certain age selling or hawking any article between certain hours. Now, with respect to some of these classes, he thought that public opinion would not support, nor public necessity require or justify, the compulsory sending of the children to industrial schools. With respect to others, they were already provided for by the Act of last year. In his opinion no further legislation was required. To the second part of the noble Marquess's Bill, which proposed to place industrial schools under the Board of Guardians, he entertained very great objections. The Bill, as a whole, was founded upon a new and very extraordinary principle, and one which he did not think their Lordships ought to sanction. Another, and vital, objection to the Bill was that it proposed to throw upon the metropolitan rates the support of these schools; and it would be quite contrary to the privileges of the House of Commons to send down to them a Bill which imposed any money burden upon the people. Therefore the Bill could not go down without being mutilated in this important respect. No doubt an industrial training was exceedingly important, but he must remind the noble Marquess that already a number of poor children received an industrial training in the district schools, and in consequence found their way to respectable employment. At present, moreover, it was inexpedient to give the guardians any additional work, because they were already fully employed undertaking the new duties imposed upon them in connection with the arrangement for the sick and lunatic poor.

An Amendment *moved* to leave out ("now") and insert ("this Day Three Months.")—*The Earl of Devon.*

THE MARQUESS TOWNSHEND, in reply, said, that he was not surprised to find the measure opposed by the Treasury Bench—that was only in accordance with the custom of Ministers—but he was surprised to hear what flimsy arguments had been set up in opposition to it. His Bill simply proposed to establish industrial schools on the principle set up by the Government in the matter of the sick and lunatic poor, and as such it could not consistently be objected to. He insisted on the importance of rescuing poor children from exposure and crime, and in answer to the noble Earl (the Earl of Devon) who had said that only a few of such children were now unprovided for, he contended that if few only, which was not the case, those few should not be left uncared for. The objection on the ground of cost was unworthy of consideration; but it was very natural for a Poor Law Board which hankered after popularity to advance it, because they naturally considered the temper of the guardians whose very title was an absurdity and a reproach to those who bore it. The only reasonable argument used by the noble Earl was that having reference to the privilege of the Lower House. He hoped their Lordships would read the Bill a second time and amend it in any way they pleased in Committee; for if only one or two of its provisions were adopted it would operate very beneficially.

On Question, that ("now") stand Part of the Motion? *Resolved* in the *Negative* and Bill to be read 3^a on *this Day Three Months.*

CASES OF THE "MERMAID" AND THE "TORNADO."

PETITION—OBSERVATIONS.

THE MARQUESS OF CLANRICARDE presented a Petition of W. Baxter & Co., owners of the ship *Mermaid*, complaining of the sinking of that vessel by the Spaniards and praying for redress; and, asked Her Majesty's Ministers whether the *Tornado* has been restored to her Owners, or the legality of the Detention submitted to a proper Tribunal? The facts relative to the case of the *Mermaid* were simply these — the vessel was fired into while passing the Spanish fort at Ceuta, on the African coast, and sunk. The reason assigned by the Spanish authorities for having fired at the ship was that she did not display her ensign when passing within the prescribed distance of the coast. The owners' case was that stress of weather drove them near the coast, and rendered them unable to show their colours in consequence of their rigging being damaged. The case was considered by Her Majesty's Government, and compensation demanded; but the demand was refused by the Spanish Government, and the demand had not been persisted in. There seemed to be a determination on the part of the Spanish Government not to do justice with regard to this case; and he regretted to say that there appeared a disposition on the part of Her Majesty's Government not to press the matter. With regard to the *Tornado* there seemed to be a similar determination on the part of the Spanish Government not to do justice. The Spanish Government undertook that the case should be adjudicated upon "in accordance with international rights and natural equity;" instead of which there was a trial, which was a perfect farce, and which was admittedly informal in every respect. On those proceedings being declared null and void, the Spanish Government still refused to release the ship, on the ground that there was to be a new trial. No proper tribunal, however, for that purpose existed in the country, and until the Government chose to erect one they detained the ship. This was not justice. The crew, moreover, had been treated in a most unjustifiable way. They were robbed of their property, their working tools, and their money—the Spanish Government admitted so much—and then the Papers would not be given for the inspection of our Minister until they were subjected to a previous examination by the Spanish authorities, which examination could not take place for a long time. Now, he would put it to the noble Earl whether the Spanish Government were not wanting in that due respect and consideration which were due to Her Majesty's Government?

THE EARL OF DERBY: I understand the noble Marquess to put two Questions—in the first place whether the *Tornado* has been returned to her owners; and, in the next place, whether the matter has been referred to any Court for adjudication? I can only say that the objections which have been taken by Her Majesty's Government with respect to the *Tornado* are not in the slightest degree connected with the assumed merits of the case—and I respectfully decline entering upon them now—but only with the mode in which the trial was originally conducted, according to which the parties were condemned without having had an opportunity of making their defence. The noble Lord the Foreign Secretary made a strong representation on that subject, and the result was that the original proceedings were declared to be null and void in consequence of informality, and the Spanish Government expressed their intention of proceeding to a new trial. I am not aware that that new trial has as yet commenced. The case, however, has not been lost sight of by Her Majesty's Government. The noble Marquess knows that the Spanish Government are not remarkable for the rapidity of their proceedings; but I must say that the owners of the vessel, though desirous of getting her back, do not seem very desirous of any investigation upon the merits of the case. Indeed, so far as I can learn, neither party is anxious for an investigation upon the merits.

THE DUKE OF ARGYLL said, that the noble Marquess (the Marquess of Clanricarde) had frequently in the course of the Session put on the paper notice of Questions on this subject—his obvious intention being to urge Her Majesty's Government to high-handed measures against the Spanish Government. Having read the papers on the subject with great care, he was bound to say that he entirely approved the course taken by Her Majesty's Government, and he believed it would be very wrong to urge them to any stronger measures against the Government of Spain. It was very natural, when a vessel carrying British colours was seized, that Members either of that or the other House should desire that strong measures should be taken; and it was, moreover, impossible to deny that the Spanish Government had behaved cruelly and, as he believed, unjustly to the crew of the *Tornado*. That had been taken strong notice of by Her Majesty's Government; but, as regarded the ship, he could not help saying that, to use the mildest language, she was seized under circumstances of the most violent suspicion. This case threw an important light upon the imperfect state of the law with respect to such matters. It was impossible to doubt that a regular trade in ironclad vessels of war would become a regular item in the shipbuilding of this country. In time of peace that trade would be legitimate and ought to be encouraged; but in time of war the Legislature had declared that the supply, to belligerent countries, of ships of war, even partially equipped, was liable to expose this country to serious risk. The weaker of two belligerents usually required ships. Now, in time of peace, they could buy what ships they wanted and carry them to their own country; but in time of war there was the greatest risk that those vessels would be seized by the stronger belligerent. The temptation, therefore, was irresistible to come to a private understanding with a builder that the ostensible change of property should not take place in this country, but that the vessel should go out with the British flag until it reached the country which had made the purchase. Now, that class of vessels must be built to contract; because they were so expensive that it was out of the question to suppose that they should be built on mere speculation. It was not a case of guns and other arms which were manufactured in the ordinary course of trade, for the capital invested in ironclads was so great that no shipbuilder would build them except upon a specific contract. Therefore, the House might take it for granted that such vessels were all sold before they sailed from this country. Under these circumstances, no nation that was strong enough to resist would permit such vessels to pass their shores or their ships of war. He was quite sure that in our own case we would not suffer it. It seemed to him, therefore, that some change in our laws was absolutely required which would enable the Government to do, as a matter of course, what the late Government had done, as it was alleged, in violation of the law in the case of the *Alexandra* and other vessels. It was because the same thing was not done in the case of the *Alabama* that we were now involved in very disagreeable proceedings with the United States. There was, he believed, a Commission now sitting upon the subject, and he hoped that the result of its recommendations would be to strengthen the hands of the Government in such cases. With respect to the *Tornado*, numerous attempts had been made to induce the Government to arrest that vessel; but they did not consider themselves armed with sufficient authority to do so. There were few things which he deprecated more than that this country should insist upon a course towards nations comparatively weak which she would not pursue towards nations comparatively strong.

THE MARQUESS OF CLANRICARDE said he did not wish to make any observation in reply to the opinions of the noble Duke, but as to some matters of fact he desired to say a few words. The noble Duke if he referred to the Papers, would see that the vessel had been examined by the officers of our Government, and re-examined, or as he had quoted on a former occasion, she had been "rummaged and re-rummaged," without anything being found to criminate her. As for such ships being always built to order, as the noble Duke had said, the fact was that the very parties who owned the *Tornado* took four ships previously across the Atlantic and sold them to the Brazilians; and not only that, but after the outward voyage they chartered them before the sale in such a way as to make an exorbitant profit.

EARL RUSSELL expressed his approval of the course taken by the noble Lord the Secretary for Foreign Affairs on this question, and saw no reason for impugning the conduct of Her Majesty's Government in the matter.

JAMAICA—CHARGE OF THE LORD CHIEF JUSTICE—MR. PURCELL.

QUESTION.

EARL RUSSELL asked the Secretary of State for the Colonies, whether his attention had been called to the remarks made by a Stipendiary Magistrate in Jamaica, Mr. Purcell, on the Charge of Chief Justice Cockburn in the case of General Nelson? No doubt their Lordships were all well acquainted with the elaborate Charge made by the Lord Chief Justice to the Grand Jury at the Old Bailey. It appeared that this Mr. Purcell had spoken disrespectfully of the Charge, and when his attention was called to the impropriety, said he did not care for the opinion of Sir Alexander Cockburn. He (Earl Russell) did not think that such observations ought to be made by a stipendiary magistrate, and he would therefore ask whether the attention of the noble Duke had been called to it?

LORD DENMAN said, he would remind their Lordships that the Grand Jury did not think much of the Charge for they threw out the Bill.

VISCOUNT MELVILLE said, that a more unjust, unfair, and partial Charge never was delivered by any Judge from the Bench.

THE DUKE OF BUCKINGHAM: In reply to the Question put by the noble Earl (Earl Russell), I have to state that my attention has been called to the language used by Mr. Purcell. Some colonial newspapers have been forwarded to me which contained it; and I have received a despatch from the Governor, who felt it to be his duty to call my attention to the statement which had been made, and to communicate with Mr. Purcell on the subject. Perhaps I ought to explain the position Mr. Purcell holds. Towards the close of last year an arrangement was made for the constitution of some Courts in Jamaica, similar to the County Courts in England, to take cognizance of certain cases which had formerly been under the jurisdiction of stipendiary magistrates, who had been reduced in number through vacancies not having been filled up. It was proposed that the new Courts should have jurisdiction in cases of debt not exceeding a limited amount, and should also deal with small cases of trespass. It was desired that the Judges for these Courts should be obtained from England. To avoid the difficulty and delay that would arise from a number of cases remaining undisposed of through the reduction of the number of stipendiary magistrates it was thought desirable by Sir John Grant that the gentlemen selected to fill the office of Judges should be sent out as early as possible, in order that, pending the enactment of the law established by the Courts, they might act as stipendiary magistrates, and so prevent the accumulation of legal business and the practical denial of justice. Six gentlemen conversant with the law were selected by my predecessor, and one of these was the gentleman who made the remarks in question. He appears to have been a man of considerable ability and legal knowledge, and the Governor, in his despatch, bore testimony to the fact; but I regret to find that Mr. Purcell's explanation does not convey a denial of the language imputed to him; and that his own explanation, to my mind, certainly decides that, however able he may be, he is wanting in those qualifications of discretion and decorum of manner on the Bench necessary to constitute an efficient Judge. I felt it to be my duty at once to inform Sir John Grant that Mr. Purcell's appointment to the office of Judge was not to be completed and confirmed. With regard to his appointment as a stipendiary magistrate, that rests with the Governor; but I have little doubt that Sir John Grant will not think it consistent with the due administration of justice in Jamaica that Mr. Purcell should continue to be employed in any judicial capacity. It is not easy or possible to obtain for the salaries the colonies can offer, barristers of eminence, and therefore opportunity has not always been afforded, by any actual practice in open court, to test the temper and discretion of those who may be selected. It is right, however, that it should be known that of the six gentlemen sent out the remaining five have given the greatest satisfaction. I have in my hand a private letter with reference to one of these Judges, which states that nothing can exceed the satisfaction which his judgments and his deportment have given in the island; and I understand that letters containing similar expressions of satisfaction have been received with respect to two or three other Judges.

Lord CAIRNS: My Lords, I happen to be aware of the circumstances under which these appointments were made. In the course of last year, when I had the honour of holding the office of Attorney General, and when the noble Lord near me (the Earl of Carnarvon) was at the head of the Colonial Office, he informed me that he desired to send some members of the bar to Jamaica to act as stipendiary magistrates, and ultimately to be appointed Judges; and he asked me to submit him the names of any gentlemen of the Bar whom I thought might be competent to fill the office. Your Lordships can readily imagine that there is a difficulty in finding in this country gentlemen who have made for themselves a position at the Bar and who have prospects of success here, and who yet are willing to accept an appointment with the moderate salary which a colony can afford to give. That difficulty lay very much in the way of many names that I should otherwise have been able to submit to my noble Friend. I have no personal acquaintance with Mr. Purcell; but he had on former occasions been pointed out to me as a gentleman who had attained a high University reputation, and who possessed an amount of legal knowledge very much above the average, and it occurred to me that he might be disposed to accept one of these appointments. I therefore submitted his name to my noble Friend, and he was nominated. From the Papers since sent to me, I am glad to find that there is every reason to be satisfied with respect to the legal ability of Mr. Purcell; but I am bound to confess that the observations made by him, and to which the noble Earl has called our attention, appear to me to admit of no justification whatever. They are deserving of the gravest censure; and I cannot conceive that the noble Duke could have adopted any other course than that which he has taken.

The Earl of CARNARVON: The noble and learned Lord having stated the manner in which the appointment of Mr. Purcell was made, I can only say, after having heard the discussion, I think the noble Duke at the head of the Colonial Office acted with every propriety in declining to complete the appointment of Mr. Purcell. The language he has used was indecorous in the highest degree, and utterly disqualified him for the administration of justice in the island. Under these circumstances, I think the noble Duke has acted with the greatest propriety.

The LORD CHANCELLOR: When the noble Duke called my attention to the speech of Mr. Purcell, and asked my advice on the subject, it appeared to me that nothing could be more offensive and indecorous than the expressions he used on the occasion referred to. I understood Mr. Purcell was a stipendiary magistrate, and was to be appointed to a district Judgeship. I asked whether he had been appointed to the Judgeship, or whether he was merely in course of appointment—for

I thought that a different view ought to be taken of the case under these different circumstances; that however improper and indecorous the expressions he used might be, they could hardly be deemed a sufficient ground for removing him from his office; but that, if he had not been appointed, it would be quite proper to withhold the appointment. I rise now, not so much to express an opinion with regard to what Mr. Purcell has said, the matter having been sufficiently discussed, as to say that I cannot help expressing my very great regret that my noble Friend on the right (Viscount Melville) should have used such very strong expressions with regard to the able Charge of the Lord Chief Justice. That Charge, I understand, occupied five hours in the delivery, and, of course, before my noble Friend expressed so strong an opinion against it, he has taken care to read every part of it.

VISCOUNT MELVILLE: I have read all that was published.

THE LORD CHANCELLOR: Well, but it was published in an octavo volume, and I am bound to assume that my noble Friend has read every part of it, and has well considered it before he criticized it. All I can say is, that it is impossible to do ample justice to the research and the ability which that Charge displays. As to the law on the subject, persons may differ from the learned Lord Chief Justice; but there can be no doubt that the Charge was the result of the conscientious conviction of the Lord Chief Justice, expressed after due deliberation, and that in that Charge my right hon. and learned Friend displayed great ability and research. I can only say that I am sorry my noble Friend (Viscount Melville) has expressed himself so strongly on the subject. A great many persons differ entirely from my noble Friend, and are of opinion that the Charge is deserving of the highest praise.

VISCOUNT MELVILLE said, he did not question the law of the Lord Chief Justice; but he did say that a Judge ought not to have displayed so much partisan feeling as was manifest by the Lord Chief Justice on this occasion.

After some inaudible remarks from Lord DENMAN,

LORD CRANWORTH said, that, as a legal Member of their Lordships' House, and a personal friend of the Lord Chief Justice, he could not allow the remarks of the noble Lord (Viscount Melville) to pass without notice. He fully concurred in the remarks of the noble and learned Lord on the Woolsack; and would bear his testimony to the great learning and ability displayed by the Lord Chief Justice in the Charge referred to. He must further say that, if his noble Friend could establish the charge he had made against the Lord Chief Justice, instead of holding the position of high respect which he enjoyed, that Judge deserved to be impeached at the Bar of their Lordships' House.

THE EARL OF SHREWSBURY said, it was not for him to express an opinion upon the Charge—he had heard many persons say there were grave errors of judgment in it, and that many matters which were asserted by the learned Judge could be contradicted. He hoped those who had read the Charge had also read the answer to it.

MAINTENANCE OF FAMILIES BILL [H.L.]

A Bill to amend the Law relating to the Maintenance of Families—Was *presented* by The Marquess TOWNSHEND; read 1ª. (No. 244.)

REFORMATORY SCHOOLS AMENDMENT BILL [H.L.]

A Bill to amend the Law relating to Reformatory Schools—Was *presented* by The Marquess TOWNSHEND; read 1ª. (No. 245.)

House adjourned at a quarter past Seven
o'clock, till Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 19, 1867.

MINUTES.]—SELECT COMMITTEE—On House of Commons (Arrangements) (No. 451.)

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

Resolutions [July 18] *reported.*

PUBLIC BILLS—*Ordered*—Church Temporalities Orders (Ireland) Validation.*

First Reading — Trusts (Scotland) (*Lords*)* [266]; Church Temporalities Orders (Ireland) Validation* [267].

Second Reading—Dundee Provisional Orders Confirmation* [257]; Morro Velho Marriages* (*Lords*)* [265]; Wexford Grand Jury* [264].

Committee—Court of Appeal Chancery (Despatch of Business)* [254].

Report—Court of Appeal Chancery (Despatch of Business)* [254]; Sea Coast Fisheries (Ireland)* [268].

Third Reading—Investment of Trust Funds* [259]; Dogs Regulation (Ireland) Act (1865) Amendment* [184]; Master and Servant* [240], and *passed.*

Withdrawn—Railway and Joint Stock Companies Accounts* (*re-comm.*) [252].

THE ABYSSINIAN CAPTIVES.

QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for Foreign Affairs, If he will lay upon the Table any recent Correspondence connected with the Abyssinian captives? He begged, also, to ask the noble Lord, whether he can hold out to the House any hope of the liberation of these captives?

LORD STANLEY said, with regard to the Papers he should be quite prepared to give them. In fact, they were now in course of preparation and would be laid on the table in a few days. With regard to the hon. Gentleman's second Question, the House would very shortly have an opportunity of discussing the whole subject, and he would then state his opinion on it.

TECHNICAL EDUCATION ABROAD.

QUESTION.

MR. W. E. FORSTER said, he would beg to ask the Secretary of State for Foreign Affairs, Whether, as one means of obtaining information with regard to Technical Education abroad, he will instruct the Secretaries of Embassies and Legations to inquire into the existence, the working, and the effects of schools or colleges for Technical Education in the different counties in which they were accredited?

LORD STANLEY said, he was quite prepared to issue Instructions for that purpose, and had no doubt that in that way they would be able to obtain a good deal of useful information. He gave the answer, however, subject to this reservation—that in the event of its being determined by the Committee of Privy Council to set on foot a special inquiry into that subject, then, perhaps, it would be unnecessary for him to issue the Instructions contemplated by the hon. Gentleman's Question.

INSTRUCTIONS TO COLONIAL GOVERNORS.—QUESTION.

MR. W. E. FORSTER said, he would beg to ask the Under Secretary of State for the Colonies, When he will lay upon the Table of the House the Instructions which he informed the House would be sent to the Colonial Governors for their guidance in case of insurrection; and, if not able to do so at once, whether he would object to state the purport of such Instructions?

MR. ADDERLEY said, that the Instructions to which the Question referred were not yet completed. They had been sent out in the form of a confidential draft to the Colonial Governors, and it was thought in the Office that some modification would be necessary in the phraseology of the Instructions, which were not in the sense of peremptory regulations, but of advice and caution in case of insurrection. The general purport of those Instructions would be that no place should be proclaimed in a state of insurrection unless there was an armed resistance to the law beyond the ordinary power of suppression; that the proclamation was not to extend further than necessary; that such proclamation should be published by all possible means throughout the proclaimed district; and that the Government should give notice to the civil magistrates that they were thereby given no extraordinary powers; that the military officer should take the whole command, and that troops should only be employed in case of urgent necessity; that non-combatants and women and children should be carefully protected from all violence; that no prisoner should be tried without a court martial, composed of at least three officers; that every facility should be given to prisoners for their defence; and that in no instance should a prisoner be sentenced to death unless that sentence was approved by two-thirds of the court-martial by whom he was tried.

NAVY—THE NAVAL REVIEW.

QUESTION.

MR. SAMUDA said, he would beg to ask the First Lord of the Admiralty, Why the Fleet did not leave its anchorage and perform the evolutions contemplated in the programme of the Review?

MR. CORRY said, he could assure his hon. Friend that the whole Board of Admiralty had been most anxious that the ships should have weighed anchor and carried out the programme; but they thought that to have manœuvred so large a fleet, composed of such heavy vessels, in narrow waters and in such thick and boisterous weather, would have been an operation attended with great risk. Accordingly, they made the signal to annul weighing, but not without having previously ascertained that the highest and most competent practical authorities concurred in their opinion. His hon. Friend was good enough to give him private notice yesterday that he would put his Question, and as the House took some interest in the subject he had telegraphed to Portsmouth to request that the officers in command on the occasion would give him their opinion in writing. The following were the answers received. The first communication he would read was from Admiral Sir Thomas Pasley, the Commander-in-Chief—

> "*Victoria*, at Spithead, July 18, 1867.
>
> "Sir,—With reference to the non-fulfilment of the programme of the Naval Review yesterday, I beg leave to state for the information of the Lords Commissioners of the Admiralty that I am of opinion that the weather yesterday was such as to render it highly inexpedient for the purpose."

The next communication was from an officer in command of the Channel Squadron:—

> "*Minotaur*, Spithead, July 18, 1867.
>
> "Sir,—In reply to the question respecting the fleet weighing yesterday, I beg to say that under all the circumstances of wind and weather, I believe it was quite a wise measure, so far as an effective display was intended, to annul the weighing."
>
> "Frederick Warden, Rear Admiral."

> "H.M.S. *Duncan*, Spithead, July 18, 1867.
>
> "Sir,—In reply to your question, whether in my opinion, it would have been advisable that the fleet should have weighed yesterday for the purpose of review, I have the honour to state that, considering the force of the wind and narrow waters in which the ships were anchored, I should have deemed it imprudent. The operation of weighing in succession would, in the first place, have been most tedious; some of the low-powered ships would not have gathered sufficient way to make them manageable. There was not room for the faster ones to attain sufficient speed, and I apprehend that the consequence would have been that the ships would at last have presented a very irregular appearance, unsuited to a review, while there would have been great risk of collision.
>
> "I have the honour to be, Sir,
>
> "Your obedient Servant,
>
> "J. W. Tarleton."

The next letter he would read was from Captain Mainprise, Master Attendant, who said—

> "1. That the boisterous state of the weather would have made it absolutely necessary for the ships to have weighed in succession—the eastern or leewardmost ships first—and from the quantity of cable necessary to hold the ships at their anchors not less than fifteen minutes must have elapsed between each vessel weighing, thus occupying three and three-quarter hours. [Therefore, if they had weighed at twelve the ships would not have left Spithead until nearly four, and could not have returned till about ten p.m.] Under these circumstances the lines could not have been preserved.
>
> "2. The ships must have stood far out to sea before the lines could have been reversed.
>
> "3. I am of opinion that to manœuvre so large a fleet, composed of such heavy and large ships in narrow waters in such stormy weather, accompanied with occasional thick rain, would have been most imprudent, and attended with very great risk, and only justifiable in a case of necessity."

In the original notice of his Question his hon. Friend alluded to the fact that the passenger ships were under weigh on Wednesday; but it must be remembered that all those passenger ships got under weigh in Portsmouth Harbour, and that the *Serapis* and the *Malabar*, the only ships of that class at Spithead, did not get under weigh. Under these circumstances he (Mr. Corry) thought the House would agree with the Board of Admiralty, that a wise discretion had been exercised in refraining from ordering the fleet to weigh.

Sir GEORGE GREY said, that as one of those who were visitors on board the *Tanjore* on the day of the Review, he was anxious to say that nothing could exceed the excellence of the arrangements on board that vessel for the entertainment and comfort of the visitors; and he was sure he was only expressing the general feeling entertained by the visitors when he stated that they were much indebted to the Lords Commissioners of the Admiralty and to the noble Lord the Secretary of that Board for the opportunity which had been afforded them of witnessing the Review with the greatest possible comfort, convenience, and enjoyment which the circumstances allowed; and although, for the satisfactory reasons just given by the right hon. Gentleman, the ships did not weigh, the spectacle was, he believed, in the opinion of all who witnessed it, a most magnificent one, and worthy of this country.

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN.

QUESTION.

Mr. H. B. SHERIDAN said, he would beg to ask the Secretary of State for India, Whether, as there is to be or has been a selection made of Members of the Legislature to meet the Sultan on the occasion of the purely "State Entertainment" so called, to be given to him on Friday by the Government of India, he will state who is to make or has made the selection, and upon what principle such selection has been conducted; whether those Members who have been longest in the House are to be the first selected; whether those Members who represent the largest and most important places are to be selected; whether those Members who are connected with, politically or by relationship, the Members of the Council of India are to be the first if not the principal persons invited; whether, in order to make this State Ceremonial more remarkable and impressive, the 2,600 tickets which it is said have been issued have been balloted for by the Members of the India Council, and distributed by them at their pleasure; whether on the occasion of a State Entertainment the Members of the Legislature would not have been as suitable persons to meet the Sultan as the 2,600 other persons who have been invited to meet His Majesty; whether the system pursued by the Home Government on State occasions, such as Reviews, Levées, &c.—namely, the circulating a written announcement informing Members that up to a certain time tickets may be had at a particular place by those who desired to have them, would not have been, in his opinion, a better mode of proceeding; and, whether the 2,600 persons who have been thus invited by the India Council, and asked to be present at the "State Entertainment," are all of them persons connected in a more direct way with the Government of India than are the Members of the Legislature?

Sir STAFFORD NORTHCOTE: I have already explained to the House the nature of the arrangements and the principle on which the invitations have been issued. I hope I shall not be considered as acting discourteously to the House if I decline to enter upon the subject which the hon. Member has opened up. There is one statement I may make on behalf of the Council of India. The invitations were sent out by a committee of the Council of India, and the Members of that Council individually requested that only one ticket should be given to each of them and a member of their families.

Mr. H. B. SHERIDAN said, that as the right hon. Gentleman declined to answer his Question, he should, on the Order for going into Supply, move for a list of the persons who received invitations to that entertainment. ["Oh!"]

CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

Sir MASSEY LOPES said, he would beg to ask the Vice President of the Privy Council, Whether he intends to proceed with the Contagious Diseases (Animals) Bill this Session; and, if so, whether he does not think it would be more advisable that the Orders now in force with respect to the disposal or slaughter of Foreign Cattle at the ports of landing should be confirmed by statutory enactment rather than be left to the discretion of Her Majesty's Privy Council?

Lord ROBERT MONTAGU: It is absolutely necessary to proceed with the Contagious Diseases (Animals) Bill this Session, as the other Acts will otherwise expire. If a statutory enactment were passed to slaughter all foreign cattle at the ports, then such cattle must be slaughtered at all times and at every port, whether there be danger of cattle plague or not. On moving the Speaker from the Chair on that Bill, I will endeavour to show the almost insuperable difficulties which stand in the way of such an enactment. Such precautions have, however, been taken, that, even in times of danger, no evil has accrued. The hon. Baronet, therefore, will, I hope, then, allow that the discretion hitherto necessarily vested in the Privy Council has not been abused, and that it had better be continued.

Mr. DENT asked, when the noble Lord intended to bring on that Bill?

Lord ROBERT MONTAGU could not exactly state at what time he would be able to do so. The evening for which it now stood (Monday) might be all taken up by the Scotch Reform Bill.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

STORM WARNINGS.—RESOLUTION.

Colonel SYKES rose to call the attention of the House to the subject of the suppression by the Board of Trade of Storm Warnings, and in doing so briefly adverted to the establishment of the Meteorological Department of the Board of Trade, which was due, he said, to the representations of the celebrated Maury as to the importance of ocean hydrography, and to the fact that subsequently an international congress on the subject sat at Brussels in 1853, by which an inquiry into ocean meteorology was recommended, which meant that the logs of ships should be collected and compared by a central Board, whose duty it should be to deduce laws from them which might be advantageous to our Mercantile Marine. The Meteorological Department was consequently established in 1853, Mr. Cardwell being at the time President of the Board of Trade, and Admiral Fitzroy, whose name was distinguished as a meteorological observer, was placed at its head in 1854. In 1862, Admiral Fitzroy, after having spent eight years in collecting information in the discharge of his duties, recommended that the operation of his department should be extended to land observations with the view of communicating intelligence which might be of use to the shipping interest. The origin of storm warnings, however, was to be traced to a meeting of the British Association, which was held at Aberdeen in 1859 under the Presidency of the late Prince Consort, and especially to the mathematical section of that Association, which was composed chiefly of scientific men. Their object was to provide a system of giving storm warnings from one part of the kingdom to another, and their recommendation on the subject was adopted and acted upon by Admiral Fitzroy until his death. On this event a Committee was appointed by the Board of Trade, then under Mr. Milner Gibson, to examine the system followed by Admiral Fitzroy. This Committee made an elaborate Report on the subject, in which they declared themselves not to be very favourable to the continuance of the system which had been pursued. They, in the first place, stated that they thought that in the present state of meteorological knowledge daily forecasts of the weather should not be continued, and in that view he (Colonel Sykes) concurred; but then they concluded by saying that they were of opinion that storm warnings should be carried on. He might illustrate what was meant by that, by observing that at Valentia, for example, the barometer might suddenly fall, and that as electricity travelled faster than the wind, notice of this fall might be given in London by means of an electric message some two days before it actually reached the metropolis. Nothing could be simpler or more intelligible than that. Predictions of that kind were at first received with considerable doubt, and were compared by an hon. Member of that House to Royal Speeches, which had no meaning; but he found from the Report of the Committee of the Board of Trade that in 1862-3 there were 160 such predictions, and that 81 per cent of them turned out to be right with respect to the number of storms, though the percentage was not equally high with regard to the point from which the wind would blow, a fact which was capable of being easily explained; for in the case of great storms a diminished pressure of the atmosphere was created, and, the winds blowing from all sides to restore the equilibrium of the atmosphere, a rotatory motion was communicated to the wind, so that it often happened that in its progress over a long distance it did not ultimately blow from the same quarter as when it began. In 1863-4 there were 125 predictions by Amiral Fitzroy; and sixty-eight out of every hundred were right with respect to the number of storms, the instances in which they were correct as to the direction of the wind being 52 per cent. Again in 1864-5 there were 129 predictions, 75 per cent of which were right with regard to the number of storms and 33·6 per cent in reference to the wind. The result for the three years was that 75 per cent of the predictions of coming storms were right, and 38 per cent with regard to the directions of the wind. Upon whatever basis these predictions might have rested they had undoubtedly proved of great importance to the Mercantile Marine and to deep-sea fishermen. But be that as it might, the result of the Report of the Committee was that they recommended that a scientific body should be formed to carry on observations on a more extended footing. Communications with the Royal Society took place, and ultimately a Committee of the Royal Society, with the Hydrographer of the Admiralty and others was sanctioned. The Committee recommended that £10,000 should be annually granted for meteorological purposes, and in that sum was included the item of £3,000 for telegraphy and storm signals. His right hon. Friend communicated with the Council of the Royal Society, who said that preceding predictions had not been founded on scientific data, and that they could not take on themselves to predict storms. Nevertheless they accepted the £10,000 a year, and the result is that the storm signals have been suspended since the 7th of December, 1866. The responsibility for that suspension, therefore, rested entirely with those gentlemen of the Royal Society, who were appointed a Committee to take charge of the Meteorological Department of the Board of Trade. In spite of the opinion expressed by various public bodies as to the expediency of the storm warnings being restored on the score of humanity, the Committee still abstained from publishing them. There had been presented to the House twenty-eight Petitions in favour of the resumption of storm warnings, five of which came from incorporated bodies, others from different ports, and the number of the signatures to the Petitions amounted to 1,744. The Scotch Meteorological Society had sixty-three stations in Scotland, and sent communications to the Registrar General, who made use of them in his Reports to the House of Commons. This eminent body asked for their restoration. The eminent French astronomer, M. Leverrier, had lately expressed his astonishment at hearing that they had been disused, and an address had lately been delivered before one of the eminent scientific bodies of Manchester, by a gentleman who stated that he had written to Lieutenant General Sabine, President of the Royal Society, but had received no reply, and who added that the Scientific Committee of the Royal Society had shown themselves utterly indifferent to public opinion and feeling, and quite unfitted to carry out the duties so ably discharged by Admiral Fitzroy; and the lecturer expressed a hope that, in the interests of humanity, science, and commerce, the Board of Trade would assume the management of the Meteorological Department. There were 50,000 fishermen along the Eastern coast of England, and the Scientific Committee of the Royal Society offered to send to the ports and to the fishermen, not storm warnings, but the state of barometers, leaving seafaring men and fishermen to judge for themselves: moreover the persons wanting information were to pay half the expense of sending it; but it was a perfect mockery to require them to pay half the expense of telegraphing. Such an arrangement would be of no more use than the daily meteorological report in the papers, telling what had occurred yesterday, but not what then was, or would be to-morrow. What would the Committee do prospectively? They said that after they had got their six new stations and their self-registering instruments they would be able, perhaps, to obtain normal conditions; but all the necessary observations had been registered at Greenwich and elsewhere for the last fifty years, and why should the country wait ten or fifteen years before the signals, which had saved so much life and property, were restored? He appealed to the common sense of the House whether they would tolerate such a mockery? The Astronomer Royal, Sir Henry James, of the Ordnance Survey, a man of profound science, and Professor Piazzi Smith, the Astronomer Royal of Scotland, were decidedly in favour of the continuance of the storm signals, and he hoped the Board of Trade would insist on their restoration. There was no reason why this should not be so, except the supposed fear on the part of the Scientific Committee of the Royal Society that their scientific dignity would be compromised, in case they failed always to foretell rightly. Suppose it were compromised, what then, if the public gained in the end? The objection to restoring the storm warnings seemed only a piece of scientific pedantry. The Board of Trade had no right to spend £10,000 per annum in the manner he had described, the expense formerly having only been £4,300 per annum. In the name of the taxpayers, therefore, he should hold the Board of Trade responsible for the future.

Mr. M. T. BASS seconded the Motion, and, in doing so, remarked that it would be of real importance to many branches of business in the Midland counties and inland districts if they were made acquainted with the condition of the temperature at various points. He hoped the Committee of the Royal Society would take this subject into their consideration with a view of furnishing such information inland.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient, in consequence of the suspension of 'Storm Warnings,' to continue the present arrangement with the Committee of the Royal Society, at an expense of £10,000 per annum, the average cost of the Meteorological Department of the Board of Trade having been £4,300 per annum,"—(*Colonel Sykes,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. DYCE NICOL had presented a Petition from the seaport town in the county he had the honour to represent, praying for the resumption of storm warnings, and he could speak from practical knowledge as to their value to the fishermen along the East coast of Scotland. He hoped they would be resumed.

Mr. STEPHEN CAVE said, that the present Government were not responsible for the change in reference to storm warnings, as they found the arrangement almost concluded when the change of Government took place. The operations of the Committee of the Royal Society comprised three distinct branches:—1, collection of ocean statistics; 2, issue of weather reports; 3, establishment of meteorological observations in the British Isles. All these three were distinct objects, the first being that to which the Meteorological Department of the Board of Trade owed its origin. The Royal Society stated in their letter of 1865 that these objects, which were specified in their letter of 1855, were as important for the interests of science and navigation as they were then considered. This branch of which he had last spoken was practically in abeyance during the last few years, Admiral Fitzroy having obtained permission to organize the system of storm warnings, and almost the whole of the funds voted for the purpose of observations were diverted from the original scientific object to an object deemed more immediately practical. This branch was now resumed and in active operation, and the Committee, in order to render it more efficient, had secured the services of a gentleman of the Mercantile Marine as marine superintendent, whose practical knowledge and experience were calculated to render the greatest assistance to the office. He need not go into details respecting these three branches. They were well known to hon. Members who took an interest in these matters, and fully described in Papers already laid before Parliament, especially in the Report of the Joint Committee referred to by the hon. and gallant Member. The hon. and gallant Officer, with that perseverance for which he was distinguished, and with which no one could find fault, had exerted himself to obtain a return to the old system. He took two objections to the course which had been lately adopted. In the first place he objected that the Committee of the Royal Society were busying themselves with abstruse inquiries which might, or might not, turn out of any value, instead of giving practical information which was of acknowledged advantage in the saving of life and property; and secondly, that in so doing they were spending, not only the money, the £4,300 which was the cost of the signals, but a great deal more besides. Well, perhaps, with one exception, there were no questions upon which people had in all ages been so willing to burn each other as on questions of science. The Royal Society stated that the so-called storm warnings were based upon imperfect data, and were therefore liable to frequent inaccuracy. They seemed on this point to be at direct issue with the gallant Officer. "Who shall decide when doctors disagree?" He had already reminded the House, in answer to a Question a few weeks ago, that, as was sometimes the case with individuals, so it seemed to have been with regard to these storm warnings—their good qualities were not discovered till after their decease. During their existence they met with but little approval in that House. They were stated to be like both Queen's Speeches and Ministerial answers, which might be read a hundred different ways, and it was said that they were twice wrong for once right, and that they would be very mischievous but for the fact that no one paid any attention to them. But the gallant Officer relied upon the Report of the Joint Committee of the Admiralty, Board of Trade, and Royal Society. Without questioning the accuracy of the gallant Officer's quotations, he submitted that he had drawn an inaccurate conclusion; and in support of his own view he would read to the House the conclusions to which the Committee came after a patient and careful investigation. It would not only answer the first objection as to storm warnings, but also the second point, which had reference to expense—and they must remember that the predictions were "deemed successful if a gale followed within two or three days"—

> "The expense of what we propose is larger than the expense hitherto incurred. But this is unavoidable unless either the original object of the Meteorological Department or the system of storm warnings is to be abandoned. The meteorology of the ocean is, as we have stated, as important an object now as it was in 1854; and we feel ourselves justified in believing (especially with such a promise of success as is held out by the meteorological registers already collected) that the Government and Parliament will not now abandon an object taken up by them after much consideration in 1854, and that they will not be satisfied to leave the matter in its present incomplete and useless condition. If the grant originally made had been steadily applied to this object, and had not been diverted to other objects, the work would by this time have advanced far towards completion; and we do not doubt that it may be completed within the time and for the sum we have mentioned. The prognostication of storms is a branch of practical meteorology which has been superadded to the original functions of the department, and to which a large part of the funds originally granted for the purpose of meteorological observations at sea has been devoted. It is one far too important, too popular, and too full of promise of practical utility to be allowed to die. But the present treatment of it is, as we have

shown, incomplete and unsatisfactory, and it cannot be made complete or satisfactory without the new system of observations, and consequent additional expense, which we have recommended. These observations are the foundation; the telegraphy and storm warnings are the superstructure; and we have no hesitation in saying, in the interest of practical utility as well as of science, that if the expense we have recommended is thought to be too large, and any part of what we have proposed is to be postponed for the present, on account of expense, the part to be postponed should be that part which recommends the present continuance of the attempts to prognosticate weather. To continue them in their present condition without an endeavour to determine the principles and rules on which they should be founded, would, in our opinion, be injurious to the fame of the eminent officer who has originated them, and discreditable to the country. . . . The system of weather telegraphy and of foretelling weather is not in a satisfactory state. It is not carried on by precise rules; and has not been established by a sufficient induction from facts. The storm warnings have, however, been to a certain degree successful, and are highly prized. We think that the daily forecasts ought to be discontinued, and that an endeavour should be made to improve the storm warnings, to define the principles on which they are issued, and to test those principles by accurate observation. Above all, we think that steps should be taken for establishing a full, constant and accurate system of observing changes of weather in the British Isles. Our detailed recommendations on these heads are given at the end of the second part of our Report."

The whole amount asked was £10,500, not as the gallant Officer said, to do, or rather not to do, what Admiral Fitzroy did for £4,300—that portion of the work in its modified form, to which he had alluded, would now cost only £3,000—but to do, in addition, what Admiral Fitzroy latterly sacrificed to the storm warnings—namely to collect ocean statistics, and to carry on observations with self-recording instruments in the British Islands. "But," said the gallant Officer, "why not use existing observatories?" Well, Kew, which had self-registering instruments, was used. Greenwich and Oxford were too near to be of use. The places selected by the Committee were Falmouth, Stonyhurst, Armagh, and Glasgow, where there were competent observers. They would have to set up a new establishment at Valentia, and they had offered to use the existing establishment at Aberdeen; but from some cause—perhaps the hon. and gallant Member for Aberdeen could say why—they had received no answer, and they were looking out for another place in the North of Scotland. He thought this would be a sufficient answer to the charge of careless expenditure, and he must again repeat that the services of these gentlemen, their great experience, their high scientific acquirements, and their valuable time were given gratuitously to the service of the country; and he thought that they ought to have credit for what they did, and that they did not deserve the somewhat strong expressions which had been used with respect to them by the gallant Officer. There was but one other point on which he would touch before sitting down; the gallant Officer complained of the charge for sending telegrams to poor fishing villages. Well, in deference to his appeals and those of other hon. Members representing fishing populations, the Government had applied to the Committee to know whether they could not furnish this information gratis; they had, in reply, expressed their willingness to do so to localities of this description. He had now stated all he could on this subject. He hoped it would be satisfactory to the hon. and gallant Member and to the House, and that this small grant—very small when the objects in view were considered—might not be grudged as an adjunct to the gratuitous labours of the Meteorological Committee of the Royal Society. It was not likely that the Board of Trade would wish to discontinue what was really of use; at the same time they were bound to regard the expressed opinions of scientific men. The Board of Trade had done all they could to urge them to send such information as they considered could be sent with advantage. This those gentleman had undertaken to do, and he did not know what more could be done at present. He hoped that the information which would be collected would enable them to arrive in future at more accurate conclusions. The Board of Trade was a practical and not a scientific department, and they were not at all likely to value science above what was practical in these matters. He might further say that information as to where storms were blowing was sent by telegram, and those who received them were in as good a position for prognosticating the arrival of a storm in their locality as the people in London were; though in truth no person could prognosticate with accuracy. There would be no objection to send the information inland as well as to the coast, if the hon. Member for Derby (Mr. Bass) thought it desirable. He hoped that the House would not assent to the Motion, for if this grant were refused a heavy blow would be struck at a very great and important object.

Mr. MILNER GIBSON said, it was

quite true, as had been stated by the right hon. Gentleman, that the arrangements with respect to this subject, were more than half completed when the late Government left office, and that they had appointed a joint Committee to inquire into the manner in which the system had been carried out, and whether the money had been spent in a useful manner and in accordance with the intentions of Parliament; but he could, not admit that the late Government was at all responsible for the action which had resulted from these inquiries. However, in fairness to the right hon. Gentleman opposite, he desired to say that so far as he understood his statement he thought the course which the Government had taken was a reasonable one. He (Mr. Milner Gibson) believed that the whole difficulty in the case had arisen from the fact of their having gone a little too fast in this matter. Meteorological science was far from being a perfect one; and time was required to thoroughly digest the data which had been already obtained, and to acquire fresh data. Complaints were made that storm warnings were not given; and certainly if it were possible for them to be given, it would be the bounden duty of the department which managed this matter to take care that they were given. The feeling was that storm warnings could be given, and that the Government would not give them; but the truth was that it was impossible to give storm warnings. Scientific authorities had stated that there were not reliable rules at present in existence upon which storm warnings could be given. He agreed with the hon. and gallant Member for Aberdeen (Colonel Sykes) that if storm warnings were to be given at all they should be accurate; and he looked upon what was now going on as the best mode of laying a foundation for a most valuable system of storm warnings. The late Admiral Fitzroy was a most zealous man, who honestly desired to communicate that information to the public generally which he believed his meteorological observations justified him in giving. The Admiral was an enthusiast, and after his lamented death the late Government found it difficult to meet with any gentleman who would undertake to do what Admiral Fitzroy had done. There was no doubt that he had made many successful prophecies; but it was not ascertained that he had based his prophecies upon any system which could be carried out by others, and therefore it became absolutely necessary to institute an inquiry for the purpose of ascertaining whether a meteorological department should be recognized by the Government or whether the system should be materially altered. He trusted, from the result of those inquiries, that it would be possible at no distant time to resume the storm warnings, and that at present the facts of the day as to the weather might be sent all over the kingdom, so that persons in different localities might draw their own inferences, and lay down what rules they pleased for their own guidance. He had seen on the Continent, at certain places, a table giving certain daily information respecting the weather obtained from a number of selected stations, so that any person looking at the table could at once judge for himself whether it was prudent to go to sea or not. For his own part he should prefer having such information given to him, rather than to hear prophecies which might be based upon erroneous data. He trusted that the hon. and gallant Member would not divide the House; while, at the same time, he hoped that the new course of observations would be carried out with the view that in the future they might be able to resume the storm warnings, based upon the rules founded upon a satisfactory number of observations. He thought that the Government were right in renewing the system of collecting ocean statistics, which were most valuable, and the collection of which had been the original object of the grant. He hoped that the system would be further developed, and that at no distant date storm warnings might be given, which would be useful to the commerce of this country.

MR. LIDDELL thought that the subject was one of vast importance to the shipping interest of this kingdom, and wished to know whether the Board of Trade had taken steps to collect all the facts they could in relation to this study of meteorology. He was much surprised to hear from the right hon. Gentleman opposite (Mr. Milner Gibson) that the late Government felt it to be impossible to find a successor to the late Admiral Fitzroy. It appeared to him (Mr. Liddell) that it was hardly possible to suppose that a gentleman could not be found to whom such an office as that held by the late Admiral Fitzroy might be intrusted. There was some misapprehension abroad as to what the late Admiral did say, and it was only due to his memory to state that he had never professed to prognosticate the weather; but that all he undertook to do was to collect throughout a certain radius accurate accounts of the state of the weather in various ports, and to publish the same, leaving it to the public generally to draw their own conclusions. He trusted that that valuable practice would not be given up, and that nothing would be done to curtail the very limited means at the disposal of the Government for obtaining the best information upon the subject.

Mr. CARDWELL, having originally submitted to the House an estimate in reference to this question, wished to make a few observations on the subject under discussion. The inference he drew from the candid statement which had been made by the right hon. Gentleman the Vice President of the Board of Trade was that there was not much difference of opinion on this subject. The way the system originated was this—Lieutenant Maury, an able and distinguished gentleman from the United States, came over to this country in 1854 and made certain suggestions to the late Sir James Graham, who was then at the head of the Admiralty, and to him (Mr. Cardwell), at that time connected with the Board of Trade. These suggestions regarded the advantages which would arise to navigation, if certain scientific observations were carried on on board Her Majesty's ships, as well as by experienced captains in the merchant service. The then Government determined, therefore, to ask Parliament for the means by which ships in both services would be supplied with the necessary scientific instruments for making the observations. It then occurred to him (Mr. Cardwell) that these scientific investigations might be carried much further; and he, accordingly, consulted both the Astronomer Royal and the principals of the Royal Society, as to the possibility of reducing more to a science the whole subject of meteorology. They were all agreed in the opinion that, if those scientific experiments were carried on for a few years, they would probably lead to most important results. The suggestions of Lieutenant Maury were consequently improved upon to the extent indicated. That most able and excellent man (Admiral Fitzroy) was thereupon appointed to conduct the system under the Board of Admiralty, as well as of the Board of Trade. The Government thought that, by telegraphic communication—by ascertaining what was doing at the same time at different parts of the coast of Ireland and of Europe, and by tabulating the state of the weather at all these places—valuable results might be obtained in regard to the immediate prognostications of the weather. He thereupon established the system of storm warnings, and subsequently his daily prognostications appeared in the newspapers. The latter plan, he thought, to say the least of it, was premature. It was generally agreed upon that these daily prognostications of the weather should be discontinued. The late Admiral's storm warnings were, however, he thought, of great practical value. It appeared to him to be a great disgrace to this maritime country that there should be such an immense sacrifice of life and property on our coasts, and he was glad to hear that the practical mode of preventing such calamities by the continuance of these storm warnings would not be given up. Though the poor fishermen living on the coasts of this country might be good mariners, they were not accustomed to compare tabulated scientific results. Admiral Fitzroy and his subordinates had been able, he thought, to arrive at important practical results, and many lives had, he believed, been saved in consequence of the information which they supplied. He trusted that under the able management of the Duke of Richmond and his right hon. Friend opposite the subject would not be lost sight of, and that they would do everything in their power, by continuing the system of storm prognostications so far as was possible, to contribute to the safety of those whose occupations obliged them to go to sea.

Mr. BAZLEY said, he thought it was desirable in the interests of commerce and humanity that a diurnal record should be published of meteorological facts, so that people might read as they ran.

Amendment, by leave, *withdrawn.*

COLONIAL GOVERNORS—MOTION FOR AN ADDRESS.

Mr. BAILLIE COCHRANE, in rising to move an Address for a Return of the names of all the Colonial Governors, the dates of their appointments, the amount of their salaries, and the number of years' service of each, inquired what the rules were which were in future to regulate the appointments of those officers? It would, he added, be in the recollection of the House that a Bill had some time ago been passed recognizing the claims of Colonial Governors to a pension, but not till after the expiration of the long period of eighteen years' service. Now, it was all very well to make such a provision, but when it was borne in mind that the time of service in each case expired at the end of six years, it would be seen that there must be three successive appointments of that duration in order to entitle a man to get his pension. He had brought one or two cases under the notice of his right hon. Friend below him in which the present system, he thought, operated with great hardship; but his observations had not, he regretted to say, been received with that frankness by which the Colonial Office was generally characterized. Those cases related to one or two gentlemen of high rank in the service, who had served fifteen years, but who were not promoted to other appointments, and who therefore were not entitled to a pension. There was a rumour, he might add, that a colonial appointment of great importance had been conferred on a noble Lord of high ability, but then he had not previously served in the Colonial Service. There were, in fact, very grave considerations bound up with the whole question, and he hoped the case of those Governors would be taken into the consideration of the Colonial Secretary with the view of having justice done to them.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the names of all the Colonial Governors, the dates of their appointments, the amount of their salaries, and the number of years' service of each,"—(*Mr. Baillie Cochrane,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ADDERLEY said, in reference to the Motion, the Return asked for was given constantly from time to time, generally every three years. Such a Return would be immediately repeated. The hon. Gentleman knew the Colonial Regulations as to those appointments. They were made for six years, and might be continued at the end of that period, as long as Her Majesty pleased. As to laying down any rules respecting those appointments—that was impossible, inasmuch as they would fetter the discretion of Her Majesty in obtaining the persons she thought, on her own responsibility, best qualified to fill those situations. With respect to the Colonial Governors' Pensions Act, he would simply observe that it was the hon. Gentleman himself who had been instrumental in passing it through the House, and that he had differed from him as to the proposal which he then made. That Act had, however, been passed, and no good could, he thought, arise from now again opening the discussion. It was true that the salaries of some of the West Indian Governors were small; but it had been the tendency both of the last and the present Administration to combine those small governments, whenever opportunity occurred, in order to give larger salaries, and to obtain persons of the highest qualifications to act as Her Majesty's representatives. It was absolutely impossible to introduce into those Governorships a system of regular promotion like that of the army. Any attempt to do so would very probably break up the connection between the colonies and this country. The colonies now pay for their own Governors; and it would be unfair to them if the routine promotion contemplated by the hon. Gentleman was adopted, so that the Governor of St. Kitts, for instance, might claim, by the regular grade of promotion, to arrive at the Governor Generalship of Canada. It was the object of the Colonial Department as much as possible to give promotion to those who served the country well in this important service, and promotion had always been given in preference to such officers. The only rule that could be laid down and acted upon was that the best men should be found. If two men of equally good qualifications presented themselves for a vacant Governorship, it was but right that the man who had been in the service should be preferred; but it frequently happened that gentlemen who had never before been in the service made the best Governors. He believed that the training hon. Gentlemen received in that House was the fittest qualification for the discharge of the important duties of Governors of large colonies.

MR. CRUM-EWING said, he highly approved of the observations made by the right hon. Gentleman the Under Secretary to the Colonies, and agreed with him, that any attempt to carry into effect the views of the hon. Gentleman would only be detrimental to the best interests of the service.

MR. BAILLIE COCHRANE said, that

as the answer of the right hon. Gentleman the Under Secretary for the Colonies was unsatisfactory, he should bring the whole question before the House on a future occasion.

Amendment, by leave, *withdrawn.*

DESTRUCTION OF THE SHIP "MERMAID."

MOTION FOR AN ADDRESS.

MR. HEADLAM, in rising to call the attention of the House to the case of the ship *Mermaid*, which had been shot at by a Spanish fort, said, it was a case of great gravity and importance, and one by which the honour and dignity of the country was affected. A British vessel in the ordinary prosecution of her voyage, engaged in a perfectly peaceful pursuit, had been shot at and sunk by a friendly power; the property of those who owned the ship and cargo had been destroyed, and the lives of those who navigated her had been put in peril. Her Majesty's Government, after a full and careful review of the facts of the case, and acting upon the advice of the Law Officers of the Crown, had made a demand for compensation, and to that demand a flat refusal had been returned. Our Government thereupon offered to submit the question to arbitration to a Mixed Commission, or to call in the friendly offices of a foreign State; but each of those proposals was in like manner refused by the Spanish Government. That being so, the question he had to submit to the House and Her Majesty's Government was whether a refusal to the demands so made was consistent with the honour and dignity of the country? The facts of the case he would state as concisely as possible. The *Mermaid* set sail on the 1st of October 1864, from Cardiff for the port of Ancona, loaded with coals. On the 16th she arrived at the entrance of the Straits of Gibraltar, and there encountered very tempestuous weather. As to the badness of the weather he might refer to the testimony of Sir William Codrington, who, writing from Gibraltar to Sir John Crampton, said—

> "It surely cannot be the wish and intention of a Power like Spain to cause such loss of property and risk the lives of those peaceably engaged in commerce. In this case I can personally testify to the badness of the weather, blowing hard from the east, and adding to the difficulties of seamanship."

The ship was off Europa Point at six o'clock on the morning of the 16th, and then proceeded to tack towards the coast of Africa, beating up close against the wind, in the natural and ordinary prosecution of her voyage. In doing so she arrived about half-past ten a.m. at a point off the African coast, within range of the Spanish battery at Fort Ceuta, when the crew were alarmed by the report of a gun with blank cartridge fired from the fort. He would read the statement on the part of the master and crew of the ship. They said in their protest—

> "At about half-past ten in the morning of the said 16th day of October a blank cartridge was fired from the battery near the lighthouse at Ceuta, which they heard; whereupon the ensign was hoisted on the main rigging, about eighteen feet above the deck, and the helm was put down immediately in order to keep the vessel off the shore; that in about seven minutes afterwards, when the ship was head to wind, a shot was fired from the same battery at Ceuta, as well as they could judge, which struck the vessel on the starboard bow; that the ensign was at once shifted over to the starboard rigging; found that the ship would not stay after she was struck by the shot, in consequence of the concussion produced, and she fell off to the starboard; hove her round immediately, when a third gun was fired with shot from the same direction, which passed about sixteen feet on the lee quarter of the schooner, and the master dropped his head to avoid the shot; trimmed the sail."

Then, after the ship had gone on another tack the master ordered the boatswain to try the pumps, when they found the ship settling down. The protest then went on to state—

> "The master gave orders to clear the boats, and he himself went below to secure the chronometer, which he wrenched from the screws, placed it on the cabin deck, and returned to the deck to superintend the lowering of the boats. The mate and two hands still continued at the pumps, but the water was gaining very fast on them, and when it had gained to two feet on the cabin floor the master and the whole of the crew were obliged to abandon the vessel. That everything was lost except the chronometer and the glasses, the master (as he himself declares) losing £6 7s. 6d. of his own in cash, besides his clothes, and that they all got into the long boat, and kept astern of the ship, and in about twenty minutes after leaving the ship—say about eleven o'clock a.m.—they saw the vessel founder. Stood for Ceuta, and about one o'clock on the same day they arrived there."

That was a short statement of the facts of the case, and the first observation he would make upon them was that, had the ship been sent to the bottom at once by the shot which had been fired at her, or the crew lost in the heavy sea which prevailed, no record would have remained of the transaction, no demand would have been made upon the Spanish Government, the owners of the vessel would have suffered great pecuniary loss, and the lives of the crew sacrificed without redress. The next remark which occurred to him was that there was not the slightest imputation on the character of the vessel. She was not, in fact, engaged in any illegal or illicit traffic, nor did her appearance or course give any ground for suspicion; the course she was taking was precisely the same as that which must have been pursued by any vessel going through the Straits of Gibraltar on that day. But then it was said that she had not her flag flying, and that a usual mark of respect in such cases was omitted. He could scarcely imagine, however, that the Spanish Government would decline to give compensation for an injury done because of the mere omission of a compliment of that kind; but there was the clearest testimony on the part of the crew to show that the *Mermaid* had, as a matter of fact, her flag flying, although from the direction in which the wind was blowing it might not have been observed by those in the fort. The defence of the Spanish Government for the wrong they had done increased the hardship of the transaction. They admitted that a shotted gun was fired; but they alleged that the shot did not strike the vessel, and then, in order to account for the undoubted fact that the vessel foundered, they proceed to make the most extravagant charge against the master and the crew—namely, that they entered into a fraudulent conspiracy to sink the vessel and cheat an insurance company, and that they accomplished their purpose by boring holes in her immediately after the shot had been fired at her, and had missed her. Such a charge was most improbable, there was not a particle of evidence to support it, and yet it was made, not only by the Fiscal Judge, but the Spanish Minister himself actually adopted it. The following is the explanation given by the Fiscal Judge:—

> "First comes the deposition of the captain of the *Mermaid* before the Court Martial of the Fort of Ceuta, from which it appears that there were three shots fired in the space of thirty minutes, the second having pierced the hull of the vessel below the water line, which was the cause of the sinking of the said vessel, which went down at once; that is to say, that according to the statement of the captain in his deposition, there was barely time, after receiving the shot, first for the crew to embark in the boats, without being able to save anything but the chronometer and the telescope. At the second examination of the said captain, instituted in order to ratify (*ratificare*) his statement, and to elicit all the circumstances connected with the shipwreck, he said that 'when he tacked in order to sail in a northerly direction he felt a cannon-shot strike the vessel, and hastening to work the pump for the purpose of removing the water which was entering the vessel, he let her follow her course; but at five miles' distance, observing that there was six feet of water in the hold, the crew were obliged to save themselves in the boats.'"

They then came to the following conclusion:—

> "Adverting, in the first place, to the first shot fired from the fort, the guard said that at that moment the *Mermaid* was endeavouring to tack, the schooner being impeded by the strong wind blowing ahead, and the heavy sea from the east. During the operation of tacking, the second shot was heard without interrupting the manœuvre, although the direction was changed to a north-easterly course. The third shot was then heard, the crew stooping down to allow the shot to pass overhead, which shot fell at a distance from the vessel. After the firing of the third shot, two sailors took out of a chest at the foot of the tiller the British ensign, which they hoisted at the main-mast, the vessel continuing her course to the north-east."

These observations of the guard, they added, were confirmed by the evidence of masters and pilots of vessels who observed the affair from the shore, and who said that if the *Mermaid* had been injured she would not have turned her head to the north-east. Then came the question, how it came about that the vessel sank? The explanation given by the Fiscal Judge was as follows:—

> "But it suited his (Captain Pearce's) purpose better to adopt the contrary course (to stand out to sea, instead of bearing up for the port) in order to get rid of any track for investigation, and to present himself afterwards as the victim of an act of violence, and be able to claim in due time the value of the cargo and the vessel from his insurers or from the Government of Spain. But, fortunately, the project laid by the said captain has not, in view of the present investigation, more importance than one of those frequent attempts frustrated by fortuitous circumstances which are registered in the books of the insurance offices."

And the Spanish Government so far indorsed this view of the case as to say—

> "Moreover, the conduct pursued in these moments by the captain of the *Mermaid* would call not so much for the appointment of a Mixed Commission as for the intervention of the Maritime Insurance Company, before which the captain of the vessel would have found himself under the necessity of justifying his loss."

Thus the master and crew had not only to complain of the loss of their vessel and the risk to their lives, but an imputation was cast upon their character. The Spanish Government then rested their case upon the ground that they had a right to believe their own officers in preference to the crew of the *Mermaid*. That would be all very well if the Spanish officers testified to facts within their knowledge; but the statement of all the facts by both parties was perfectly identical. They all heard the blank shot fired; they heard the shotted gun fired. The statement of the English crew was, that the shot struck the vessel a little below the water line. The statement of the Spanish Government was that a great number of persons were looking on. They say—

> "The number of these declarations; the high position of some of the witnesses examined (among them the Commandant-General of the fort himself); the special circumstances of the official of the watch in 'El Hacho' having been able to observe all the movements of the *Mermaid*, and that he used a telescope in order the better to enable him to perform his functions; and, lastly, the declaration of the masters or pilots of the ships anchored in the port of Ceuta, who by their profession were accustomed to examine and distinguish the different flags used by ships at sea;—in a word, all these circumstances combined, and each one separately, carry conviction to the mind that the loss of the *Mermaid* cannot, on any principles of reason or justice, be attributed to the shots fired at her from the batteries of Ceuta in order to make her show her flag, since, if the ball had penetrated in the place and in the manner as asserted by Captain Pearce, the ship, laden with a cargo double that which she ought to have carried (284 tons, instead of 170, which she measured), would scarcely have had sufficient time to make a port, much less to navigate five miles' distance, before being completely lost."

All these persons were looking on, and with respect to the second gun, a shotted gun, not one of them saw the shot strike the water. They saw the third gun fired. This was a shotted gun, and they saw the crew stoop down to allow the shot to pass overhead, "which shot," they state, "fell at a distance from the vessel." These statements were perfectly consistent with the fact that the second gun struck the vessel a little below the water line on the starboard bow. If that statement were true the striking of the ship would not be visible from the shore. It would not hit the water so that any one would see it. The Spanish Government inferred that the vessel could not have been hit; but this was a mere inference from facts which were not disputed on both sides. It was not disputed that the captain wore the ship between the second and third shots, and that he went out to sea, but he then went below and discovered the extent of his injury. The Spanish authorities chose to deduce an inference from the captain of the *Mermaid* standing out to sea. The difference between the statements made by the captain in his first and second examinations was in reality immaterial. The firing took place, according to the statement of the master, about 10.30 a.m. The ship, after the firing, went to sea, but what precise distance she went no one could say. This, however, was known, that the crew were landed at Ceuta about one o'clock, and it would take them some time to pull to shore through a strong sea. The Spanish authorities laid some stress upon the statement made in the first place by the captain, that the vessel went down at once, so that he had no time to save anything but the chronometer and telescope, and his statement in his second deposition that the vessel continued her course for five miles after the injury was done. It was impossible to raise any argument upon mere verbal inaccuracies; for the Spanish interpreters were not very competent, and in transferring a man's evidence from one language to another it was unfair and unjust to rely upon merely verbal discrepancies. The case itself afforded a strong proof of the unfairness of relying upon the verbal accuracy of the translators, for a strong point was made against Captain Pearce, because it appeared from the translator's report of his first examination that it had taken him sixteen days to sail from Cadiz to the Straits of Gibraltar. This was put in the front rank as strong presumption against the veracity of Captain Pearce's statements. The Fiscal Judge naturally argued that if this statement were true the captain must have employed seven days in "wandering about the sea;" while other vessels had been proved to have made the same passage in three or four days, and in the same state of the weather. This, however, was due to a mistake by the translator, who represented the captain of the *Mermaid* as having asserted that he set sail on the 1st of October from the port of Cadiz, in Spain, instead of Cardiff, in Wales. The question, then, really came to one of the balance of probabilities; and were they to believe, without a particle of proof, that a number of English sailors united together in a conspiracy to scuttle their ship and defraud an insurance company? Whether the Government would allow this matter to remain as at present he would be glad to learn; but he would ask what had been the action of Her Majesty's Government in the matter? The question first came before Lord Russell in November, 1864, when his Lordship, before any representation was made to the Spanish Government, required that the statement of parties should be verified by affidavits. That having been done accordingly, on the 14th of January, 1865, our Foreign Office asked for compensation from the Spanish Government. Again, on the 23rd of September, 1865, Lord Russell renewed that demand, and said that there was a clear case for compensation to the owners of the vessel, and instructed our Ambassador to ask for a Mixed Commission. The Spanish Government, however, distinctly refused to accede to that demand. On the 12th of July, 1866, the noble Lord opposite wrote—

> "After further consultation with the Law Officers of the Crown Her Majesty's Government see no reason to alter the opinions expressed in Lord Clarendon's despatches of the 23rd of September, 1865, and of the 2nd of May last."

And he added—

> "In conclusion I have to observe that no reason appears to exist why Her Majesty's Government should abandon the position which they have taken up in this matter; inasmuch as the evidence appears to show that reparation is due from the Spanish Government for a great injury inflicted by the act of Spanish authorities upon a British vessel, which appears to be proved by clear and credible testimony to have complied with the requisites of the Spanish law, and to have been after, and notwithstanding such compliance (though doubtless through inadvertence), fired at with ball and consequently sunk."

So it rested with respect to the Spanish Government. Then came the application of the Messrs. Baxter to the Foreign Office, on October 22, 1866, asking whether Her Majesty's Government were prepared, seeing that all its representations at Madrid were unavailing, to demand compensation from the Spanish Government for the losses sustained by the owners of the ship, owners of the cargo, and crew; the reply sent to that from the Foreign Office was that Her Majesty's Government were not prepared to make any such demand on the Spanish Government for compensation, it being evident from what had already passed that the latter Government would not entertain any such demand. He now asked the House to put on record a Resolution to the effect that that demand had been rightly and justly made; and as no answer had been given to that demand he asked whether it was consistent with the honour and dignity of this country that the matter should be allowed to drop, after the gravest accusation had been made against the character of these men, the injury done to property, and the danger which had been caused to human life?

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, stating that, in the opinion of this House, the demand for compensation from the Spanish Government made in respect of the destruction of the Ship 'Mermaid' was just and right, and that there is nothing in the Correspondence laid before this House which would sanction Her Majesty's Government in withdrawing from the demand that has been made,"—(*Mr. Headlam,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD STANLEY: Sir, I regret that I was not in my place when the right hon. Gentleman was prepared to bring on this Question yesterday. He is, I am sure, aware of the circumstances and will excuse my absence. There were several Notices on the Paper preceding that of the right hon. Gentleman, and to the surprise of all of us these Notices went off at the last moment. Now, this case lies within the narrowest possible compass. All the information we possess with reference to it is contained in the not very voluminous Papers which I placed on the table, and I am bound to say that as far as I can judge the circumstances of the case have been very clearly, fully, and, on the whole, very fairly stated by the right hon. Gentleman. There is, however, one point to which, in justice to the Spanish officers, I feel bound to advert. The right hon. Gentleman has referred to the circumstances under which the shots were fired from the Spanish port, from which this vessel apparently sank. I think it fair to say that according to the evidence, or rather the opinion, of several competent and impartial persons, there was no intention whatever to fire at the vessel. Sir William Codrington, in taking up the case on behalf of the owners and crew, in a despatch to Sir John Crampton, says—

> "A shot from the battery hit the vessel as she shot up in tacking; possibly it might have been accidental from the gun being laid to fire ahead of the vessel, if the orders given at Ceuta are similar to those published for Tarifa."

The long statement, which appears to have been compiled from the information of the master, contained at page 7 of the Blue Book, says—

> "We are inclined to think that the *Mermaid* was not intentionally sunk, and should rather attribute her destruction to carelessness on the part of the Spanish officer in charge of the battery.

We believe that the shot which struck the starboard bow was intended to pass wide of the ship on the port side as she was approaching the battery nearly stem on; but that when she was put about no allowance was made for her change of course."

I think this should be borne in mind, because, although it may not affect the question of pecuniary responsibility, yet it does very much alter the spirit in which we are to consider this matter if we think the act was one merely arising from the carelessness of the officer in command, or, on the other hand, a deliberate attempt to sink a peaceful trading vessel. The latter assumption ought not to be entertained without conclusive evidence, and I do not see in this case that any such evidence exists. I entirely concur in the view which has been taken of the merits of the case by my two predecessors in office, Earl Russell and the Earl of Clarendon; and that concurrence I have placed on record in a despatch dated the 12th of July last year. I then renewed on the part of Her Majesty's Government the request previously made, that either compensation should be given, or that the case should be submitted to arbitration. That request was met, as two previous representations of the same kind were met two years before, by a refusal, courteous indeed in its terms, but still a refusal. The Spanish Government rested on the authority of their own officer, which no doubt to a certain extent conflicted with that of the captain and crew, and laid stress on the discrepancy in the evidence given by the captain on his two examinations. According to one of his statements the ship was said to have gone down almost immediately. In the other he states that he sailed between five and six miles before he thought it necessary to abandon the vessel. The Spanish Government refer also to what they regard as the singularity of the captain's conduct in sailing away from port, being within a mile of land, with his vessel so entirely disabled, whereas if he had run her into harbour instead of standing out to sea, she might probably have been saved. I merely recapitulate these arguments used by the Spanish Government, in order that the whole case may be before the House; but I am bound to say I do not think there is much in either of them. The British captain may or may not have taken the wisest course with a view to save his ship after she had been struck. Even if he did not, that would not affect materially the merits of the case. But it was not altogether unnatural that having been fired upon from the battery, and not knowing whether he would be fired upon again, he did not choose to run in under the very guns of the fort from which the shots had proceeded. And as to the suggestion that the ship was sunk by the captain, and never struck at all, I must say that is a supposition in itself extremely improbable, and not a particle of evidence was brought forward to support it. The discrepancy as to the time during which the vessel kept afloat is perhaps more serious. Yet everybody knows that a statement may be substantially true, and yet contain considerable inaccuracies of detail, and it would be a very fair question for a Court to consider how far such a degree of inaccuracy in detail would affect the credibility of the captain's whole story. The evidence of the Spanish officer, allowing it every credit, only amounts to this—that he did not see the ship struck, and that he was in a position in which he must have seen it struck, he thinks, if such had been the case. Without imputing to him a desire to speak inaccurately, I must say that his statement is only one made to the best of his knowledge and belief; that there is nothing to show that he may not have been mistaken; while, as regards the captain and crew, mistake is simply out of the question. They must have known whether the vessel was struck or not. Either they are telling a wilful falsehood—which there is no reason to suppose—or their statement is accurate. I think, therefore, there can be no doubt on which side the preponderance of evidence is. But now comes the real difficulty of the case. This matter has been argued over and over again. We adhere to our opinions, and the Spanish Government adhere to theirs. Unhappily, there is nothing in the nature of an international tribunal to which all cases of this kind might be referred, and there is no International Law by which parties can be required to submit such cases to arbitration. I do not hesitate to say that it would be one of the greatest benefits to the civilized world if such a tribunal existed, but, as it does not, there is only a choice between two courses when one Government differs from another on a question of this kind. You must either let the claim rest, reserving the right to bring it forward again under more favourable circumstances, or else you may have recourse to force. The enforcing of such a claim could only be effected by the withdrawal of diplomatic relations, or by war, or by making reprisals, which latter proceeding is almost certain to end in war. Now the withdrawal of diplomatic relations is a totally inadequate remedy for that which is to be cured. It shows that you have taken offence; but it does not inflict any great injury or cause any great pressure upon the Government with whom you have a difference; and with respect to war—for reprisals practically mean war—I need not say that a war between two European countries is a very grave matter; and if we had gone to war on one single case of this kind without exhausting every other possible means to procure redress we should not have been supported by public opinion, either in this country or in Europe. We must not exaggerate the importance of this transaction, which, in all human probability arose from an accident, and which is not one involving the life or liberty of any of Her Majesty's subjects. Taking our view of the question, it was unquestionably a case of great carelessness, and called for pecuniary compensation, but it is not necessary to presume that the Spanish authorities have acted in bad faith. No doubt they have shown a bias to their own side. They have believed the statements of their officers rather than the statements of the persons on board the ship, and have decided in their own favour on exceedingly inadequate evidence; but I do not think it is reasonable to infer from this single case a determination on their part to refuse justice. There is another point of view which I wish to present to the House. The risk of a war with Spain may be thought very lightly of, but are you prepared to lay down one rule of conduct with respect to a weak Power and another with respect to a strong Power? Suppose this question had arisen between England and Russia, or France, or the United States, I do not think that anybody in this House, under such circumstances, would have supported the Government of the day in enforcing by war reparation for the injury. If then the House thinks with me that this is not a case that would justify war, I ask the right hon. Gentleman to tell me what steps should be taken? It would be useless to go over and over the same ground in addressing the Spanish Government; but I have not written a line conveying any intention to recede from this claim, or expressing any change of opinion about it; still, I am not prepared at present to take up the question again. Possibly another Spanish Administration may see matters in a different point of view. We may remember some events which are within our recent experience. The Government of the United States are not supposed to be backward in pressing claims which they deem to be well founded, or in resenting any attack on the dignity of their country; but it will be recollected that when, in respect to the matter of the *Alabama*, the Government of the United States asked for arbitration, and when that demand was refused, they did not withdraw their Minister from London, or threaten war. I do not see why we, in a matter of very much smaller importance, should not act with the same degree of forbearance. Again, the Spanish Government may have, in their turn, some claims against us—something which they may think a grievance, and which we do not view in the same light. In such a case, if a demand for arbitration were made, and we should be ready to comply with it, we might fairly insist on the matters submitted to arbitration including the claims we have against them. I do not say that I should necessarily take the same view if grievances of this kind were multiplied. A single instance of an act such as has been brought under the notice of the House may be referred to mistake, but if a multitude of such cases occurred one after the other it would not be possible to take the same view of the matter. That, however, is not a question now to be considered. I can only assure the right hon. Gentleman that, having entirely acquiesced in the justice of this claim, I do not intend to let the subject drop, if I only see an opportunity of dealing with it in a satisfactory manner, and I trust the right hon. Gentleman will not press his Motion, which in any case cannot lead to any satisfactory result.

MR. NEATE thought it would have been difficult to make a more unsatisfactory explanation than that which had been offered by the Foreign Secretary, or one more calculated to place this country in an undignified position with respect to foreign nations. The noble Lord did not say whether he intended to press this question or not; but he seemed to hope that some of his countrymen would commit an act of injustice against Spain in order that this question might be considered in the form of a "set-off" against the Spanish Government. That was the position in which this question was left at present. The noble Lord was clearly bound to insist upon arbitration, or else act in the same manner as was done in reference to the Danish claims. He thought the noble Lord was bound to obtain compensation for the owners.

SIR ROBERT PEEL: I am desirous of occupying the attention of the House for a very short time on this matter, to bring before its notice one or two points which have been referred to in the course of the debate. I think the right hon Gentleman the Member for Newcastle (Mr. Headlam) put the facts of the case in a very clear and temperate manner; but I very much agree with the hon. and learned Member for Oxford, that the reply of the noble Lord the Foreign Secretary was certainly in this case very unsatisfactory. We all, both the House and the country, are disposed to place every confidence in the management of Foreign Affairs by the noble Lord; but I do not think the statement he has made to-day with regard to this matter, only involving, as he says, some £200 or £300, could have been expected to fall from one who fills the position and enjoys the reputation of the noble Lord. He admits to a great extent that the statement of the Spanish authorities is not true. It is alleged that they had no intention of firing at the vessel, and he says also that the arguments of the Spanish Government are worthless. Now, he admits he adopted the policy of Lords Russell and Clarendon. That was in July 1866; but between that time and October 1866, a great change seems to have come over the views of the noble Lord, because before he distinctly stated in a despatch, he was not prepared to press the matter any further, and what does he say now? He says there are two ways of acting. Let us wait until a good opportunity arises for pressing the cases. Let us wait till Spain may have a case against us, and then we may set-off the one against the other. Now, I do not think that is quite the way in which a case of this kind ought to be treated. We have had more than one such case with the Spanish Government of late. The Spanish Government is really behaving to this country in a manner that we cannot much longer refrain from seriously taking in hand. Here is a case which occurred in 1864; and from that period till the present, although the testimony of the Spanish authorities is admitted by three British Ministers to be worthless, yet, because the matter is comparatively insignificant, the noble Lord is prepared to forego the position he might have assumed had he urged this claim on the Spanish Government as he should have done. But, says the noble Lord, suppose Russia or the United States, or France, had done this act, would we press it upon them? Yet, although we would not press such a claim against those powerful States, the right hon. Gentleman wishes us to press it against Spain merely because Spain is weak. Now, Sir, I venture to say that the Government of the United States, or of Russia, if the case had been put to them so clearly as this case has been in these Papers, and if the right was so clearly in favour of the owners as it appears to be, they would at once have acknowledged the claim for compensation. But such is not always the policy which the Government the noble Lord represents has followed. What was the case of the *Cagliari?* In that case, because Naples was a weak Power, we insisted upon justice being done. When the case was brought under the notice of the other House of Parliament, Lord Clarendon said it was important to a maritime Power like England that we should not allow any act of illegality on the high seas, respecting which we were entitled to interfere, to pass unnoticed, but, if necessary, avenge it, though it was also necessary that we should be in the right and that we should be able to put forward such a claim as could be satisfactorily proved according to the Law of Nations. That is what Lord Clarendon clearly laid down as the law of this country, and it would be more befitting the position of the noble Lord that he should adopt such a rule than say "Let us wait until Spain has a claim against us which we can use as a set-off against our own." I cannot help thinking that if we had shown that we would consent to no prolongation of the settlement of this matter we should have obtained it before this. The attempts to deny the firing of the shot and the imputations which have been cast upon the captain of the vessel are certainly hardly worthy of the Spanish Government. The Spanish Government have attempted to resist the claims of the owners of the *Mermaid*, first of all on the ground that there was a conspiracy on the part of the crew. They urged that the crew wished to defraud the insurance companies. I do not understand how it is that the Spanish Government should evince such extreme tenderness and anxiety for the protection of companies or individuals from fraud. The Spanish Government do not pretend to any knowledge on the subject; but they urge that they have reason to believe that the vessel was scuttled and sunk with a view to defrauding the Maritime Insurance companies. But the Spanish Government should look at home before bringing such, as I believe them to be, unfounded accusations against British subjects, and reflect upon their own treatment of the poor unfortunate bondholders who have been defrauded of their rights. I merely rose, Sir, for the purpose of urging the noble Lord not to allow the settlement of this question to be prolonged. Three Foreign Ministers—Lord Russell, Lord Clarendon, and the noble Lord himself—have had this matter in hand. It has been dragging on since 1864, and I think the time has now arrived when the noble Lord should bring the matter before the Government in a manner that would lead to a satisfactory settlement of the claims which have been made on the part of the owners of this ship.

MR. E. C. EGERTON thought that the arguments used by the right hon. Baronet and by the hon. and learned Gentleman the Member for Oxford were very unfair as regarded their reference to the policy adopted by his noble Friend. As the Papers on the subject would show, his noble Friend had not been in office three days before he called the attention of the Spanish Government to the subject. His noble Friend in his despatch on that occasion used these words—

> "In conclusion, I have to observe that no reason appears to exist why Her Majesty's Government should abandon the position which they have taken up in this matter; inasmuch as the evidence appears to show that reparation is due from the Spanish Government for a great injury inflicted by the act of Spanish authorities upon a British vessel which appears to be proved, by clear and credible testimony, to have complied with the requisites of the Spanish law, and not to have disregarded them; and to have been, after and notwithstanding such compliance (though doubtless through inadvertence), fired at with ball, and consequently sunk."

If he wanted any proof that the honour and the property of the people of this country were safe in the hands of his noble Friend, he would appeal to what had been done in the case of the *Victoria* where ample redress had been made for the injury inflicted. His noble Friend had not been slow to act in this case; but, as his noble Friend had pointed out, there were only two modes by which we could exact reparation — one was the serious matter of going to war, and the second was to wait for a suitable opportunity of representing our injury to the Spanish Government and insisting upon reparation being made. The House might depend upon it that when that opportunity did occur his noble Friend would not be backward in insisting upon the satisfaction of our claims.

MR. MILNER GIBSON trusted that his right hon. Friend would not, after the statement of the noble Lord the Secretary of State for Foreign Affairs, press his Amendment to a division. He happened to have heard something about these matters when at the Board of Trade, and they had left a strong impression in his mind as to the general inconvenience which had been experienced by merchant vessels for some time past. Our merchant vessels had been compelled to show their colours on passing within a marine league of the Spanish forts under pain of being fired at. Even when this regulation was complied with, the colours were not seen and the vessels were fired at, several lives having before now been lost from this cause. The late Government concluded an agreement with Spain which was signed at Madrid, in March, 1865, by which the observance of this formality on the part of merchant vessels passing Spanish forts in the Straits of Gibraltar was abolished. It was, he thought, a matter of congratulation that we had succeeded in getting rid of a very troublesome and useless formality—a formality which had led to the unfortunate embarrassment under discussion. He trusted that his right hon. Friend would not think it necessary to make the House of Commons assume the responsibility of forcing their opinion in the shape of a formal Resolution upon the Executive. After the speech made by the noble Lord the House might, he believed, safely leave the matter in his hands. For his own part having listened with attention to the noble Lord's speech, and having previously informed himself of the facts of the case, he thought the noble Lord had fully admitted not only the justice of the claims made on the part of this country, but also the force of the arguments employed by his right hon. Friend.

Amendment, by leave, *withdrawn.*

INDIA OFFICE—STATE ENTERTAINMENT TO THE SULTAN.

MOTION FOR AN ADDRESS.

MR. H. B. SHERIDAN then rose to call attention to the manner in which the arrangements for the ball to the Sultan had been carried out. He said he was aware that he was about to do that which was not customary for many hon. Members to do, and that was, to seek for information from a public Department; and it was well known that all persons who sought information of such Departments were not generally popular, but were gentlemen mostly to be avoided. He was sorry that the right hon. Baronet who represented the India Office thought it was necessary to decline to reply to a series of Questions which he put to him at an earlier stage of the sitting. A day or two ago he heard, for the first time, that there was to be a State Entertainment given by the Indian Council to the Sultan and the Pasha. Along with other hon. Members he learnt this with surprise, as the subject had been kept quiet. He, accordingly, asked certain questions respecting the entertainment, partly from curiosity, and partly with a view to elicit information. He was told that there were 2,000 or 3,000 tickets about to be issued; but that those tickets could not be issued to Lords or Commons, because there were certain other persons who had a prior claim upon them. In consequence of this, he had determined to submit a Motion to the House, and he knew that several hon. Members approved of that Motion, and therefore he was fortified in the course he was taking. He intended to move for a list of those persons who had been invited to this entertainment, and also an account of the expenses incurred by it. No doubt the thanks of this House were due to the right hon. Baronet for the intentions which he had exhibited in reference to the Sultan and the Pasha; but those intentions had not been carried out in the spirit in which they had been devised. The right hon. Baronet had allowed this affair to fall into the hands of that inner circle of officials who marred and made a mess of everything they had to do with. The proposal of the right hon. Baronet was that, in contradistinction of the private parties given to the Sultan and the Pasha, a national or State Entertainment should be given to them as an indication of national respect, and, of course, no Member of the House could object to that; for so important was it that the *entente cordiale* with the Pasha of Egypt should be preserved, that no expense or trouble should be spared by this country to render his reception a fitting one. The dominions of the Pasha were the high road to India; and we depended necessarily a good deal upon the good faith of that potentate, and the importance attaching to his position might be best estimated when they considered that France and England had, for a certain time, been running a sort of race with each other to see who should secure the greatest and most lasting bond of amity with that important personage. As to the Sultan, songs had been sung in his praise, and they had vied with each other in doing honour to that powerful monarch. But, however excellent the intentions of the right hon. Baronet had been, they would have been still more praiseworthy if he had so timed the entertainment as that it would have been possible for the Pasha of Egypt to have accepted the invitation to be present. It had been suggested by the right hon. Baronet that the entertainment should be given at the public expense, or rather that the people of India should be charged with the cost. Whether the Council of India had the power or the right to appropriate the resources of India to such a purpose was a question which he was not then prepared to discuss. Part of the entertainment was to consist of a ball; but it appeared from a communication which he had received on the subject that there was no room whatever at the India Office in which a ball could be given, and the consequence was that temporary erections of wood, highly decorated, had to be constructed, and the expense of the entertainment was thus most wantonly and culpably increased to an extent entirely disproportioned to the occasion. They had been told that this State Entertainment was to be given by the Government of India. His idea of the Government of India was, that the Queen, Lords, and Commons constituted the governing power of India, who merely delegated their executive functions to the Council of India. If he rightly interpreted the meaning of the words "governing power of India," the givers of this entertainment were the Lords and Commons, and he wished to know how it was that those who, in theory at least, were the hosts, had no opportunity whatever of being present? They had been told by the Secretary of State for India that if both Houses of Parliament were to be invited to this State ceremonial, they would be unable to invite those other persons who had nothing whatever to do with India. The right hon. Baronet said he had only one objection to inviting the Lords and Commons, and that was, that in all probability they would accept the invitation, and that in that case there would be too many. That was the only excuse which had been given on the subject, but surely that was not an excuse with which the House or the country would be satisfied. It was intended that officers of the army and navy, and members of the Corps Diplomatique should be present; but the army and navy were not the governing power of India, and as for the Corps Diplomatique, the Sultan had seen them before over and over again, and he did not think it would distress the mind of that illustrious person very much if they were not invited at all. The right hon. Baronet said that if both Houses of Parliament were invited at least 1,000 Members of the Legislature would avail themselves of the invitation; and, with a lady's ticket for each, that would take 2,000 out of the 3,000 guests who were to be invited. It very seldom happened however, that all the Members of the Legislature availed themselves of opportunities of this sort; and he was sure he would be supported in the assertion that had they all been invited not more than 700 persons belonging to both Houses of Parliament would have attended, which, with 700 ladies' tickets, would have made a total of 1,400, leaving 600 tickets for the Corps Diplomatique and 1,000 for the Council of India to dispose of in complimentary invitations. The House would have been quite satisfied, however, if the right hon. Baronet had told them frankly that he had only 300 tickets for that House, and 250 for the House of Lords, and they would have been content to have had them distributed amongst them by ballot or by any of the usual modes of distribution. The Sultan might be deeply interested in seeing the officers of their army and navy, and the members of the Corps Diplomatique; but the Members of the Legislature, had they been invited, would, he was sure, have been objects of more interest and observation to the Sultan than any other persons who might have been present. He accused the Council of India of great remissness in the course which they had pursued. One of the reasons which had been alleged for not inviting the Members of the Legislature was, that the Lords and Commons did not dance, and that it was necessary that the persons invited to meet the Sultan should be able to dance, and in that way to amuse his Imperial Majesty. What could be more supremely ridiculous? Did the right hon. Baronet suppose that every one who had been invited was an expert and nimble dancer? But who had informed the right hon. Baronet that the Lords and Commons could not dance? Who had informed the right hon. Gentleman that the Sultan, with whom gravity was a matter of religious belief, and who rarely moved the muscles of his face, would put in vigorous motion the muscles of his legs and feet in order to execute a Highland fling or a double-shuffle with the right hon. Baronet himself? All this was simply ridiculous. He had been informed of the case of an hon. Member who sat on that (the Opposition) side of the House, who, having voted with the Government during the Session, had a ticket given to him for the entertainment that morning. He had also heard of a case where a clerk in the India Office had obtained tickets for himself, his wife, his wife's sister, his wife's brother, and the whole kit of them, having seven tickets in all. He hoped the House would not think that he had brought this matter forward in any personal spirit, for he never went to entertainments of this sort; but because he believed that, as the matter had been arranged, it was a direct way of affronting the Sultan and of affronting both Houses of Parliament.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a List of the Persons invited to meet the Sultan at the State Entertainment to be given to His Majesty by the Indian Government,"—(*Mr. Henry B. Sheridan,*)

—instead thereof.

Mr. Clay said, it might be thought by some that our reputation for national hospitality did not stand very high; but it was hardly likely to be increased by a special request on the part of a Member of that House to have such a bill of costs published. The hon. Member said, that was an entertainment given by the two Houses of Parliament; but where a family of entertainers was very large indeed, it was, he believed, very general that they should not all of them dine at the table.

Their own good taste induced them not to crowd the limited space available for their guests. He should not, therefore, complain of not being invited to that State ball, but he should rather object to the list being published, so that everybody might know that he was one of those who had not been honoured with an invitation. Those who, like himself, were not invited would rather not have the fact mentioned. The great potentates, whom the country had the honour of entertaining, had, he believed, felt deeply the universal enthusiasm with which they were received, and regarded the spontaneous expression of the national welcome as worth more than all the pageants and ceremonies which had marked their sojourn among us. He trusted that the Motion of the hon. Member for Dudley would not be acceded to.

Mr. FAWCETT said, he rose with great reluctance to address the Committee; but, after anxious and careful reflection, he thought he should not be doing his duty if he did not express his feelings on that subject. As to the lists of the guests who had been invited to that entertainment, he regarded it as a matter of secondary importance. He placed the greatest confidence in the high character and fine sense of honour of the Secretary of State and the Council of India, and should believe, in spite of certain sinister rumours, that in their selection of the persons to be invited they had been actuated by no motives of partiality. There was another question far more important than that which referred to the persons who had been invited, and that was, how could the Secretary for India reconcile it to himself to tax the people of India for an entertainment to the Sultan and Viceroy? It might be a very proper thing for those who were connected with India to give such an entertainment, but why should the poor toiling peasant be called upon to pay for it? If the officers of the army desired to exercise hospitality towards any one to whom they wished to show respect, the expenses would be defrayed by subscriptions among themselves, and would not be raised by levying a sum of money from the pay of the soldiers. Why, then, should the Secretary of State for India and his Council spend the money wrung from the people of India on such an entertainment? The question was one of great importance, and though the amount was small the attention of the country would be directed to the subject. What a handle for sarcasm it would give to writers in the Native press of India, many of whom were not over favourable to England, when calling public attention to the fact, that while thousands of persons were dying of famine in India, succour and relief came tardily and slowly from Calcutta, while even England was not hasty in giving proof of her generosity; but when it was a question of giving an entertainment which might be partaken of by people in London, £10,000, £15,000, or £20,000—a portion of the amount raised by the heavy taxation in India—was expended without the least compunction.

Question, "That the words proposed to be left out, stand part of the Question," put and *agreed to.*

THE BIRMINGHAM RIOTS.

OBSERVATIONS.

Mr. WHALLEY, in calling attention to the disturbances which had lately taken place between the Protestant and Catholic residents of Birmingham, said, that the subject was a serious one, because a suspicion had arisen, owing to the manner in which some of the rioters who had attacked Mr. Murphy had been dealt with, that the magistrates were not inclined to afford the protection to Protestants which they considered they had a right to expect. In consequence of the absence of such protection a number of the Protestant inhabitants of the town and neighbourhood had associated themselves together, and had issued an address or warning to the Catholics, that, inasmuch as they had failed to obtain the protection of the magistrates, they were determined to take the law into their own hands. They naturally felt irritated because the Mayor had not only refused the Town Hall to Mr. Murphy after it had been granted to Dr. Manning, but had suffered the Catholic mob to pull down the walls of the building which Mr. Murphy's friends were desirous of erecting for a lecture room. He had reason to believe that the latter act had been done at the express instigation of the priests, who possessed great influence over the Irish Roman Catholics in Birmingham. In point of fact, the acts of those persons had been carried to an extent much beyond what was generally known or believed, and the impression was that the Birmingham magistrates had permitted the Irish Roman Catholic mob to behave with impunity, in order that Murphy might be driven from the town. Having already denounced the conduct of those persons in the House, and remembering that an exciting election contest was now going on in the town, he had thought proper to recommend peace and quietness to all persons. All that was required was an assurance from the Home Secretary in that House that the Protestants of Birmingham should have equal rights with the Catholics to promulgate their opinions; and that so long as they did so quietly and peaceably they should be protected by the law, and that upon such an assurance being given the apprehension and dissatisfaction which now existed would cease. What Mr. Murphy and his friends desired was to enlighten the people with respect to certain tenets and practices of the Roman Catholic religion; and if the Home Secretary felt inclined to take upon himself the responsibility of keeping them in ignorance upon such subjects, he hoped he would not hesitate to avow his opinions.

PRISON MINISTERS ACT.

OBSERVATIONS.

MR. MACEVOY called attention to the necessity for putting this Act more generally in operation in various prisons in this country. He observed that there were at present large numbers of persons who had been convicted of various offences in the prisons of the country, and he regretted to say that a considerable proportion of them were Irish Roman Catholics. The day was gone by when it was necessary to debate in that House whether it was right or wrong to attempt to reform criminals. This was not a question between Roman Catholics and Protestants, but between sound sense and prejudice. The fact was that, owing to the reluctance of the magistrates to enforce this act and appoint Roman Catholic chaplains, some thousands of prisoners of that persuasion were at present deprived of the chance of reformation through being deprived of the instructions and exhortations of the priests of their religion; and he must say that, considering the beneficial effect which the prison management of Ireland had upon criminals, he was surprised that the Act empowering the magistrates to appoint Roman Catholic chaplains had not been put more generally into operation. He would appeal to the Secretary of State for the Home Department whether the time had not arrived for calling on the magistrates throughout the country to take steps for putting in more vigorous operation the spirit of the Acts of 1863?

MR. GATHORNE HARDY, in answer to the Question of the hon. Member, must remind him that the Act was urged on Parliament only as a permissive measure, to be worked entirely by the local magistracy, and that no pressure was to be put upon them to bring it into operation. But permissive Acts had had this fatal defect within them, that if they did not operate in a particular direction, those who were in favour of them immediately raised a new grievance, and called for an Act of a compulsory character. It seemed to him that if, as matters at present stood, he were to interfere with the local magistrates, and to press upon them to carry out the Act more vigorously, he would be taking upon himself a power which was not given to him by the Act of Parliament. No good would result from attempting to advise and control persons when authority for doing so did not exist. That being so, if he were to make proposals in connection with this matter to the magistrates they would be objected to and not obeyed. He had no reason to believe that the Act was not gradually coming into operation, so as to insure to all prisoners the assistance of ministers of their own denomination. He knew of no instance in which clergymen of any denomination were refused admittance. No doubt the prison authorities, in some places, went much further than they did in others. For instance, in certain prisons all the prisoners were allowed to assemble together and join in the celebration of all the rites enjoined by their religion, including the sacraments. But this practice was not carried out in other gaols. Free admission was, however, given in all the prisons to ministers of all religious denominations. He felt strongly, and he had expressed the feeling, that every prisoner should receive the benefit of the religious instruction of his clergyman. None should be deterred from the exercise of their religious rites because they had committed crimes and were put in gaol. But unless some principle were laid down either with reference to the number of prisoners or other circumstances connected with the gaols, it was impossible for any central authority to lay down a compulsory rule which must be within the limits of the Act. His own impression was, that Parliament having thought proper to legislate in this particular direction, the best course would be to leave it to the progress of public opinion to act fairly towards the prisoners, rather than to legislate anew in the meantime, and thereby raise new conflicts and feelings that had better be kept in abeyance. With respect to the Question put by the hon. Member for Peterborough, which, as he understood it, was whether, as far as Government were concerned, they would see that due protection was given to all parties, whether Catholic or Protestant, who did nothing in violation of the law, he need say little in reply. As he understood the matter, if persons chose to deliver controversial lectures which were in themselves legal they would be protected by the laws. Whatever they did, so long as they did not violate the law, they would be protected. He trusted nobody in England would ever have occasion to complain that the law was not put in force to protect persons who were not acting illegally. He had no reason to suppose that the case would be otherwise in Birmingham. It was the duty of the local magistrates to afford protection to those who kept within the law; and, so far as he was concerned, if an application were made to him for assistance in cases where persons were not violating the law he should feel it his duty to afford them protection.

Mr. MAGUIRE said, he believed that in not more than 5 per cent of the gaols of the country were chaplains of all denominations appointed by the magistrates or free access allowed to Roman Catholic priests. Ireland showed a much better example in this respect. Protestant clergymen were to be found in every gaol in that country, although the number of Protestant prisoners might not be larger than ten. The Protestants were a minority in Ireland, and yet they were allowed to exercise their full religious privileges, nor did the Roman Catholics grudge them this privilege. He contended that the same boon should be extended to the Roman Catholics in England, who were the minority; but who had as much a right to have their religious feelings respected as had the Protestants of Ireland. The good that was done by the admission of clergymen to gaols to minister to the spiritual wants of persons of the same denomination was incalculable, and it too often happened that where prisoners were denied this blessing they left gaol hardened and unreformed instead of subdued and repentant. On every principle of equality, fairness, justice, honour, and expediency, the permissive Act of 1863 should be made compulsory.

Mr. M'LAREN said, that from the observations that had been made, it seemed to be assumed that the Roman Catholic priests were prevented from entering the prisons of this country to give religious consolation to the Roman Catholic prisoners. He (Mr. M'Laren) did not know that that was the case, and would disapprove of any such exclusion if it were the case. He would not believe it was so until he had evidence of the fact, and he had never seen such evidence. The logical tendency of the arguments that had been used was that they should give a salary to the priest as a chaplain for his services. He (Mr. M'Laren) denied that principle altogether. He thought the whole prison chaplain system was a mistake. He had attended a good deal to the management of a large prison—being one of the directors for many years—and he believed that if a law were passed declaring there should be no prison chaplains, and that they should trust to the Christian zeal and benevolence of the Christian men and women of this country to go to the prisoners—speak to them in their cells, and look after them as Mrs. Fry and her coadjutors had done—more good would be effected than had been accomplished by all the chaplains ever paid and employed in this kingdom, or than would be done if they had a host of Roman Catholic chaplains in all the prisons in the kingdom. He believed if they could get twenty benevolent ladies and gentlemen to visit the prisoners and speak to them and do what they could to reform them, they would have more influence than any twenty paid chaplains in Her Majesty's dominions.

Mr. BRADY thought the hon. Member who had last spoken must have had but little experience of the results that had been obtained by the chaplains in the Irish gaols, or he could scarcely have fallen into the error he had done. He (Mr. Brady) was aware that the efforts of chaplains, both Protestant and Roman Catholic, did a great deal for the preservation of poor creatures after they were discharged from prison. The Roman Catholic chaplain had at one time been excluded unless he obtained the consent of the Home Secretary, and the consequence was that Catholic prisoners then came out of the prison in a state of recklessness. The rule had been relaxed; the Roman Catholic chaplains were admitted, and the consequence was, that the Catholic prisoners now left the prisons improved men. The influence of the Catholic clergymen, if brought to bear on the members of their persuasion in a proper way, must produce the most beneficial effect.

SIR PATRICK O'BRIEN said, the hon. Member for Edinburgh honestly professed himself the friend of the rights of conscience, but if the opinions he had expressed that day were carried out, he would not in practice be so. It was impossible that private ladies and gentlemen could be sufficient to give religious instructions to prisoners, because the ordinary religious duties of the Roman Catholic religion required the assistance of a priest in their performance. While in some places magistrates had done their duty in permitting the attendance of Roman Catholic priests, in other places they had refused to allow the priests to enter the gaols.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Civil Establishment of the Bermudas."

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Whalley.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £2,038, to complete the sum for Ecclesiastical Establishment, British North American Provinces.

(3.) £16,678, to complete the sum for Governors and others, West Indies, &c.

(4.) £4,300, to complete the sum for Justices, West Indies.

(5.) £13,500, to complete the sum for Civil Establishment, Western Coast of Africa.

(6.) £2,230, to complete the sum for St. Helena.

(7.) £500, Orange River Territory.

(8.) £1,100, Heligoland.

(9.) £3,836, to complete the sum for Falkland Islands.

(10.) £1,183, to complete the sum for Labuan.

MR. ALDERMAN SALOMONS wished to know whether the island was likely to pay its own expenses? It had been made a colony under the impression that it would furnish a great supply of coal, and he wished to know what were its prospects in that respect?

MR. CHICHESTER FORTESCUE wished to know whether the Under Secretary for the Colonies could give any information respecting the progress and prospects of the coal mining districts? The island had been retained for its coal; and it was important for our trade in those seas if coal could be obtained. Hitherto, however, the progress in obtaining coal had been slow and disappointing.

MR. ADDERLEY said, the latest accounts were more satisfactory than they formerly were.

MR. ALDERMAN LUSK said, these accounts were different from what he had received. He wished also to ask how it was that the Governor did not go out to the colony? He had been detained in this country for a considerable time, and lately he had obtained a further leave of absence for six months. Under these circumstances he did not see that there was much use for a Governor at all.

MR. ADDERLEY said, the Governor was going out in the autumn. His information about the prospects of coal was derived from Sir James Elphinstone, the chairman of the company.

COLONEL SYKES: Who is the new Governor?

An hon. MEMBER: Mr. Pope Hennessy.

Vote *agreed to.*

(11.) £8,036, to complete the sum for Emigration.

(12.) £1,000, Niger Expedition.

MR. WYLD said, he would not object to this particular Vote, but he must express his hope that all Votes for expeditions would soon disappear from the Estimates. Large sums had been spent upon them and little good had resulted. They were managed in this way—a few individuals connected with the Royal Geographical Society expressed a desire that an expedition to a certain point should take place. They pressed the Government in office, who usually yielded to their demands, and an expedition was sent out; and all that was accomplished by it was the exploration of a river and the settlement of some obscure town on the map. That was all that was gained for the great cost and sacrifice of life by the expedition.

Lord STANLEY said, he quite agreed with the hon. Gentleman in so far as expeditions on the African coast were concerned. The present, however, was an item which would not appear again upon the Estimates.

Colonel SYKES said, that if the views of the hon. Member for Bodmin were carried out there would be an end to geographical discovery.

Vote *agreed to.*

(13.) £1,100, Coolie Emigration from India.

Mr. CHILDERS said, it was rather hard this country should have to bear the expense of the consular agents in the French ports of India for coolie emigration. He wished to know whether this emigration had not really ceased altogether, and, if so, how long the agents were to be kept up at these ports?

Mr. BAILLIE COCHRANE said, he was surprised to see the Vote, because three months ago, when he drew attention to the emigration from India to the French colonies, he was told by the Under Secretary to the Colonies that the French did not like the coolies, that the scheme was a failure, and that there was, in fact, no coolie emigration going on to Réunion at all.

Mr. ADDERLEY could only repeat what he had said before—that the number of emigrants did not exceed ten.

Mr. CHILDERS said, he could not understand, if the emigration had ceased, what necessity there was for this charge.

Lord STANLEY explained, that so long as the Convention remained in force some expenditure on this score would be necessary; but he did not believe that coolie emigration from India to French colonies would long continue. The superabundance of population in India which had led to the emigration did not now exist, and he therefore apprehended that it would not be long before they saw the end of that emigration.

Mr. LAYARD asked, whether the Coolie Convention with the French Government had not, as it was called in diplomatic phrase, been denounced?

Lord STANLEY said, there had been a correspondence on that subject; but if the hon. Gentleman would put his Question on Monday he would give him an answer.

Mr. STEPHEN CAVE thought that the consular agents were stationed at these French ports, not for the purpose of regulating emigration under the Convention, for that was carried on from Madras, but in order to watch a sort of smuggling trade in coolies, who were induced to go by land to Pondicherry and other ports in French territory.

Mr. LAYARD said, that as long as the Convention existed the French Government had a right to take coolies from India; but, while they did so, it was highly desirable for the protection of British subjects that there should be consuls at these ports to see that the regulations in regard to that traffic were not infringed.

Mr. KINNAIRD reminded the Committee that great pressure was put upon the Government to procure the Convention, and expressed a hope that it would not cease till security was taken against the recurrence of the very grave circumstance to which its origin was due.

Lord STANLEY said, all arrangements of that kind were terminable after a limited period.

Mr. CHILDERS said, that if the Convention were renewed, as these consuls were appointed solely for the benefit of India, the charges ought to fall on the revenues of that dependency.

Vote *agreed to.*

(14.) £2,000, to complete the sum for Treasury Chest.

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade."

Colonel SYKES asked, how the liberated slaves were disposed of?

Mr. VANCE said, that very large bounties had been paid to the crews of several of Her Majesty's ships; but against that they had payments in consequence of captures by mistake of £11,900 in one case, and £392 in another, and he did not consider that bounties should be paid for mistaken captures.

Lord STANLEY stated that the number of liberated Africans was now small; but there were various establishments in which they could remain for a certain time, until they had an opportunity of emigrating to Sierra Leone, the West Indies, and other places.

Mr. Alderman LUSK complained that bounties were given to English officers for capturing slavers, when, in fact, they did nothing more than their duty.

Lord STANLEY thought it might be a fair question to raise at the proper time in that House whether they ought to maintain their squadron on the African coast at all; but while that squadron was kept up he could not agree that it was wrong to hold out to an officer the stimulus of these bounties, considering the peculiarly severe and unhealthy character of the climate to which they were sent. The principle there adopted was that of payment for results.

Mr. CHILDERS said, there was no point on which greater care was taken, both by the Treasury and the Admiralty, than in awarding these bounties.

To report Progress.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee also report Progress; to sit again upon *Monday* next.

CHURCH TEMPORALITIES ORDERS (IRELAND) VALIDATION BILL.

On Motion of Mr. Attorney General for Ireland, Bill to validate certain Orders made by the Lord Lieutenant in Council under the Church Temporalities Acts in Ireland; and to increase the Stipends payable by the Ecclesiastical Commissioners for Ireland to certain Incumbents in Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Lord Naas.

Bill *presented*, and read the first time. [Bill 267.]

House adjourned at one minute before Six o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 22, 1867.

MINUTES.]—*Sat First in Parliament*—The Lord Kingston after the Death of his Brother.

Select Committee—*Report*—On Railway Companies; on Railway Companies (Scotland).

Public Bills—*First Reading*—Naval Knights of Windsor* (252).

Second Reading—Representation of the People (227), debate *adjourned;* Naval Stores (No. 2)* (234).

Committee—Sir John Port's Charity* (206).

Report—Railway Companies* (159 & 249); Railway Companies (Scotland)* (179 & 250); Trades Union Commission Act (1867) Extension* (243).

Third Reading—Consecration of Churches and Churchyards* (222); Christ Church (Oxford) Ordinances* (190); Prorogation of Parliament* (228); Turnpike Trusts Arrangements* (229), and *passed.*

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL.—(No. 227.)—(*The Earl of Derby.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DERBY, in rising to move that the Bill be now read the second time, said: My Lords, although I acknowledge that it is not without some feelings of anxiety that I rise to ask your Lordships to assent to the second reading of a measure which received, at its last stage, the unanimous approval of the House of Commons—I mean the Bill for further amending the Laws relating to the Representation of the People in the other House of Parliament—yet I cannot but experience a feeling of satisfaction when I contrast the circumstances under which I now address your Lordships with those which attended the consideration of the same subject thirty-five years ago. My Lords, if on this occasion I could anticipate that I should have to encounter one-tenth of the difficulty which the noble Earl (Earl Grey) who had charge of the then Reform Bill had to contend with, and in contending with which he exhibited such extraordinary ability, patience, and temper, as enabled him finally to surmount all obstacles—in that case, my Lords, I should certainly shrink from the magnitude of the task which I have undertaken. Upon that occasion the question was one which involved no less than a social revolution in this country. It was a revolution which, by a sudden and violent process, transferred the whole political power of the nation from one portion of the community to another. It was one in which it was necessary for those who proposed the measure to run counter to the feelings, to the wishes, and to the interests of the great majority of those who had to decide the question in both Houses of Parliament, and more especially in your Lordships' House. It was one which ran counter to the whole power and authority of that class which, up to that period, had exercised a preponderating influence upon, if not an absolute monopoly of, what was then called the Representation of the People. My Lords, it is difficult for those of your Lordships whose memories will not carry them back to that stormy period to realize what was the state of our so-called representative system up to 1832; it is difficult for the younger Members of your Lordships' House to realize that there was a time when in the Councils of this country the voices of Manchester, of Birmingham, of Leeds, and of all the other important centres of manufacturing industry were absolutely unheard; that there was a time when even the large and more important towns that were honoured with what was then called representation were in the hands of self-elected knots of ten twelve, or fourteen individuals; and when boroughs which had absolutely ceased to have any existence, except a political one, and in which there was not even a single inhabitant or a single house, still went through the mockery of sending representatives to Parliament, and exercised their due numerical influence in the great Council of the nation. My Lords, I must confess that I myself entered Parliament, for the first time, when a very young man, under circumstances which I do not think to have been strictly within the spirit of the Constitution. It so happened that a West Indian proprietor, of high Tory principles, found himself, as West Indian proprietors sometimes did—even before the passing of negro emancipation, in pecuniary difficulties. He was the possessor of property, however, which included a borough, over which, although nominally there was voting of scot and lot, he had absolute and entire control. It happened, also, that a wealthy Whig Peer was desirous of increasing his political influence, and he requested me, then a young man, and without the slightest connection with the borough in question, or with the neighbourhood, to accept the seat which was to be placed at my disposal. And so far, my Lords, was the complaisance of the Tory proprietor of the borough carried, that he not only vacated his seat in the middle of the Session, but also went down in person and introduced to the constituency, whom he had sold, the nominee of the Whig Peer to whom he had sold them. I am obliged to confess that a few years afterwards I was guilty of such ingratitude as to vote that this borough should stand in Schedule A. My Lords, I have mentioned this for the purpose of contrasting the circumstances under which I now address your Lordships with those of that day. At that time, as I have said, it was a question of a social revolution, and of an absolute transfer of political power. It was a time when principles were opposed to principles, and when the movement which was at work had to meet a determined and uncompromising resistance. It is true, my Lords, that at that time the Government of the country possessed the somewhat doubtful advantage of being supported by an amount of popular enthusiasm sufficient to bear down all the opposition and all the barriers with which they had to contend. The tide of popular feeling, stimulated by events which had then recently occurred on the Continent, had risen to a height which, while quite sufficient to bear down all barriers, bore them down the more determinedly in proportion to the unyielding stubborness with which, for years past, and up to the very moment of the introduction of the Bill, the party then in the possession of political power had resisted all counsels and refused all concessions, the consequence being that the tide—I will not say of revolution, although it approached it very nearly—but the tide of innovation, set in with resistless force, and broke down all the obstacles and barriers which had hitherto opposed it. I have called this, my Lords, a doubtful advantage. No doubt, it was an advantage in so far as it enabled the Government to carry through their measure, supported by an irresistible force, and in so far as it precluded a very close examination of the details of that great measure which they submitted to the consideration of Parliament. "The Bill, the whole Bill, and nothing but the Bill," was the cry which, as the noble Earl opposite (Earl Russell) well remembers, was raised throughout the country. With regard to the details of the measure, whatever their merits might be, there was little discussion. There was little controversy at that time except as between the question whether "the Bill, the whole Bill, and nothing but the Bill" should be carried, or whether effect should be given to the declaration of the Duke of Wellington that, so far from its being desirable that any change should take place in the system of representation, the system then existing was one which, if it did not already exist, was so perfect, so absolutely without blemish, that it would be desirable to introduce it for the first time. But, my Lords, it is impossible to conceal the fact that although, to a certain extent, popular sympathy and enthusiasm lent a support—an irresistible support—to the Government of that day, it certainly did, on the other hand, preclude the fair, deliberate, impartial consideration of that great political measure. It was carried after a protracted struggle in the other House, and especially in this; it was carried in the heat of passion—not with the calm deliberation which befits an important political change, but amid violent agitation and excitement—amid all that was calculated to prevent a careful consideration of a great political question. Now, I look upon that as having been a serious disadvantage; but, happily for the country, we had at that time at the head of public affairs a man above all others qualified not only to "ride the whirlwind," but to "direct the storm"—a man who, pursuing with unflinching energy that which had been the object of a long political life, found himself enabled at its close, by the exercise of mingled courage, firmness, determination, conciliation, and dignity, to carry through a reluctant Parliament—although, I confess, at last, by measures in this House which nothing but the extremest necessity could have justified or palliated—a measure which I believe in my conscience has contributed more than any measure of recent times to place the Government and the people of this country upon a footing of amicable relation to each other, and to promote the prosperity and well-being of the country at large. My Lords, I bore a humble part in supporting in the other House of Parliament that great measure of Reform; and for myself I could have been well content to join in the declaration at that time made by the noble Earl opposite (Earl Russell), that, seeing that England could not bear a revolution every quarter of a century, it was desirable that the measure, so adopted and settled, should be accepted, if not as a final measure, at all events as one calculated to remain undisturbed for a lengthened period. But, my Lords, the same hand which contributed so greatly to the success of that measure was also one of the first to disturb it. The noble Earl opposite (Earl Russell) within twenty years after the passing of the Act—he did not even give himself that quarter of a century which he had prescribed—abandoned the doctrine which for some time gave him the *sobriquet* of "Finality," and expressed his opinion that a further change was necessary if not in the principles, at all events in the details of our representative system. For my own part, I say now, as I have said before, that I believed the House of Commons framed in 1832 has from that time down to the present—though I have not always agreed with its decisions—faithfully and honestly represented the feelings and the wishes of the great body of the people. I am sure of this, that no measures you could pass—no system which you could frame—would give you a body of men more disposed and more able to consult and provide for the interests of all classes of the community. I believe, more especially with regard to the lower classes, that the Parliament which has subsisted since 1832 has shown a degree of intelligent interest in their welfare which could not be surpassed by any assembly in the world; and I frankly admit that I do not anticipate, whatever may be the advantages of the measure I am about to propose, that its effect will be to produce a body of men more intelligent, more enlightened, more devoted to their duty, more sincerely attached to the interests of all portions of the community, than that which at present represents the people in the House of Commons.

Well, then, it may be asked, if these are the views which I entertain, on what ground it is that I come forward and ask your Lordships to adopt a measure which proposes to make a very considerable alteration in our representative system? It is because it is not sufficient that in the House of Commons we should have an instrument of Government which satisfactorily conducts the business of the country; it is that we may have in the House of Commons an instrument which it is believed by the great body of the people to perform those duties which I believe they do perform, but at the same time from any participation in the election of which a very large portion of the honest, industrious, and intelligent citizens of this country are excluded. It is not sufficient that the instrument should work well; it is necessary that those for whom it does work should be convinced that it works well. Well, my Lords, as I have said, for nearly twenty years this system of Parliamentary representation has worked, I believe I may say with general approval and without any intention or any wish to alter it. I think that it was in 1852 that the noble Earl (Earl Russell) first found reasons for sounding anew the tocsin—Parliamentary Reform. From that period down to the present there have been, not continuous, but successive, attempts to carry measures for the Amendment of the Representation of the People in Parliament; and not only successive attempts, but successive attempts made by the same Governments, to which they pledged in the most formal manner, in the Queen's Speeches, the name and authority of the Sovereign.. In 1852, in 1854, again in 1858, measures of Parliamentary Reform were recommended in the Speech from the Throne. I had the honour of succeeding to the office of First Minister of the Crown in 1858, and at the commencement of 1859 I felt myself bound to make an effort—I will venture to say a sincere and honest effort—to settle this great question, and to redeem the pledges which in the name of the Sovereign had been given by my predecessors in office upon three several occasions. My Lords, if I felt it necessary in 1859 to take that step I will ask your Lordships upon what reasons or pretexts could I excuse myself in 1867 after all that had passed? In 1860 the noble Earl opposite (Earl Russell) brought forward a measure, again under the sanction of the Speech from the Throne; and that measure failed, I may say, with the general consent of the House of Commons. I do not pretend to enter into the question how it was, from what reasons, and under what circumstances, the question of Parliamentary Reform slept from 1860 to 1866; but one fact is quite clear, that owing to his paramount authority and respect for the advancing years and political character of the late Lord Palmerston, the Leaders of the Liberal party were unwilling to disturb a question to which it was known that noble Lord, however he might be ostensibly the Leader of the Liberal party was honestly and conscientiously opposed. At all events, it so happened that, during the latter period of Lord Palmerston's protracted life, no question of Parliamentary Reform was raised in Parliament, and there was little or no agitation in the country about it. But, my Lords, Lord Palmerston died, having recently gone through a General Election, in which, no doubt, there was a majority of seventy, eighty, or even ninety in favour of the Liberal party headed by Lord Palmerston. The noble Earl opposite thereupon—as was his right, and no one can dispute it—succeeded to the administration of affairs, and in conjunction with Mr. Gladstone, his Chancellor of the Exchequer and Leader of the House of Commons, thought the time was come when he could again revive the dormant question of Reform, and considered, no doubt, that he could carry a measure—for he himself said that it was not the duty of any Government to stir such a question without a fair prospect of carrying it, and he, no doubt, thought himself justified by the majority of Liberals in the House of Commons in bringing forward the question. My Lords, it is not for me to criticize the conduct or the tact with which the question was introduced to the notice of Parliament, or by which it was attempted to be carried through the House of Commons; I may however say that it was felt by many that the question was prematurely brought before a new Parliament which really had not had sufficient time to consider so important a question in all its bearings. It was brought forward by a Government who thought they had the absolute control of the majority of the House of Commons, and who attempted to carry it—I may be excused for saying —in a tone and a manner which savoured much more of dictation than of readiness to yield to the feelings and wishes of the House, or make such moderate concessions as might fairly be demanded of them. My Lords, I speak with the most sincere conviction of the truth of what I am saying when I state that if the then Chancellor of the Exchequer had known how to deal with the feelings, and to weigh the prejudices and the opinions of the House of Commons, if he had been able to make moderate concessions, to adopt a conciliatory course, and to abstain from an imperious dictation as to what the House of Commons must do under the control of the Government, I have not the slightest doubt that the House of Commons, under the auspices of that Government, would have passed a Bill of Parliamentary Reform more or less satisfactory. But, my Lords, the moment the measure was introduced to the House of Commons, the Government took occasion to make use of such language as that they had "crossed the Rubicon," had "burnt their boats," had "broken their bridges," and that there was no retreat from the position they had taken up, that the measure they had advised was the measure Parliament must adopt, and that no alteration or modification of that measure would be submitted to by the Government. From that moment the chance of passing the measure amicably through the House of Commons was virtually at an end. Now it is a very remarkable circumstance that during the whole of the protracted discussions on the question, the nature and extent of the borough franchise was never once brought under the consideration of Parliament. In all those lengthened discussions questions of form and procedure were the staple of debate; the only point settled was the reduction of the county franchise from £50 to £14; and the question upon which ultimately the Government thought it necessary to throw up their offices was not as to the amount of the borough franchise, but whether that franchise should be estimated by the amount of rental paid or of rating. My Lords, allow me to say this—that it is a remarkable fact that upon no occasion—I speak on the part of the Conservative party in this country—since the introduction of those measures of Parliamentary Reform has any opposition to the second reading been offered by the Conservative party to the Bills introduced by the Government of the day. In 1852, in 1854, again in 1859, and again in 1866, no opposition was given by the Conservative party to the second reading of the Bills, or to the consideration of the schemes which the Government of the day had submitted to their judgment. But upon the only two occasions on which a Bill has been brought forward by the Conservative party a contrary course has been taken. I need not remind your Lordships that our Bill of 1859, which was brought forward to carry out the same principles as the former Bill, was defeated by an Amendment moved by the noble Earl opposite; and again in 1867 it was only the strenuous and determined opposition of the Liberal party which prevented the right hon. Gentleman the Member for South Lancashire, who announced his implacable hostility to the Bill, from moving its rejection; and now the Bill comes before your Lordships' House—from the House of Commons—and we are threatened with another Amendment on the second reading. I do the noble Earl (Earl Grey) the entire justice of believing that he does not bring forward his Amendment with the object of defeating the measure; I do not believe that he brings it forward even for the purpose of delaying the progress of the measure; but I say it is a remarkable thing that the attempts to originate obstacles to the second readings of the Bills on Parliamentary Reform, when none were offered by the Conservative party in similar circumstances, should proceed from the Liberal party. It had been the case previous to 1859, it has been the case since that time, that the question has reduced itself from a question of principle to one of detail. It is not whether Amendments should take place, not whether an alteration should take place, nor with regard to the character of those alterations, that opposition is offered, because the noble Earl succeeded in obtaining a declaration from Parliament that any measure to be satisfactory must involve a considerable reduction in the franchise of boroughs. I am entitled to say that from 1859 to the present time there has been no question of principle involved, or of opposition to the reduction of the franchise—the question entirely resolves itself into this, both with regard to the borough and the county franchise, as to how much or how little. It is, then, a question not of principle, but of detail—on the question of principle all sides of the House are pledged alike; the question of detail will, I hope, be fairly entered upon.

Well, my Lords, after the protracted discussions in the course of last Session, Her Majesty's late Government—and, considering their previous declarations, I do not blame them for it—announced their intention of abandoning their proposed measure and the offices they held. Now, my Lords, speaking with all frankness, I venture to say that the question upon which they were defeated was not one upon which a Ministry, sincerely desirous of carrying any effective measure of Reform, ought to have deserted their post. But at the same time I admit that, after the somewhat imprudent declarations which they had made in the early part of the Session, that they would adhere to the Bill, and that if any Amendment were carried they would consider it fatal to the Administration—I admit, I say, that as men of honour they had no other alternative. But then, my Lords, I am obliged to look at the position in which the Queen and the country were placed; I was obliged also to look at the position of the Conservative party; I was obliged also to look at the position which, having the honour to possess the confidence of the Conservative party, I was bound to take in the execution of my public duty. My Lords, it is quite true that I could not pretend to command a majority of the House of Commons. I entirely acquit the noble Lords and hon. Gentlemen, my predecessors in office, from anything so inconsistent with their character and their position as the desire to make a mock attempt to improve the representation, to be followed by a new return to office with greater strength at their command. I believe that they resigned their offices honestly feeling that they did not enjoy the confidence of the majority of the other House of Parliament, and that they were not able to carry through their measure. But then came the question—the old question put by the late Duke of Wellington—How is the Queen's Government to be carried on? My Lords, I have upon former occasions, unfortunately, occupied the position of a Minister on sufferance. I have upon two previous occasions attempted to carry on the Government with a minority in the House of Commons, and upon both occasions I have failed. It was, therefore, a very hard, and I will say a very severe trial of duty, and public over private considerations, when I felt myself for a third time called upon, under similar circumstances, to undertake the important and responsible duty of First Minister of the Crown. My Lords, I did not do so without fully considering the responsibilities and the duties which devolved upon me, and the whole burden which I had to undertake. I did not intend for a third time to be made a mere stop-gap until it should suit the convenience of the Liberal party to forget their dissensions and bring forward a measure which should oust us from office and replace them there; and I determined that I would take such a course as would convert, if possible, an existing minority into a practical majority. As our political opponents had failed in carrying a measure, the carrying of which was of vital importance to the interests of the country, and the postponement of which added to the public inconvenience and embarrassment year after year, and the agitation for which was standing in the way of every measure of practical improvement and practical legislation, I felt it to be my duty to undertake this difficult task—a task which, as I thought, it was all but impossible to fulfil; and, despite of any taunts of inconsistency, despite of any opposition, to endeavour towards the close of my political career to settle one great and important question of vital importance to the interests of the country. Therefore, my Lords, inasmuch as the Conservative party had never opposed themselves to the principle of Parliamentary Reform. [*Murmurs.*] Do noble Lords oppposite doubt the fact that the Conservative party have never objected for the last fifteen years to the principle and the introduction of measures of Parliamentary Reform? I have already stated that the only opposition to the second reading and the principle of any Reform Bills has come, not from the Conservative, but from the Liberal party. Well, what had we to consider? Were we to ignore the question of Parliamentary Reform altogether? [A noble LORD: Yes!] What would have been the consequence? Why, the consequence must have been—perhaps it was foreseen by the noble Lord opposite who shows so much excitement upon the question—that, at the very first meeting of a new Parliament, Resolutions would have been proposed affirming the absolute necessity of passing a measure of Parliamentary Reform, and upon that the Government would have been left in a minority, which would have left them no alternative but to hand over their offices to our opponents. What actually occurred was this:—The late Chancellor of the Exchequer stated that he would give his cordial support to any reasonable and satisfactory measure of Reform; but to an illusory measure, to one of anything like a reactionary character, to any Bill which fell short of the just expectations of the country—to that, we might depend upon it, he would offer uncompromising opposition—and I do not doubt that in that case we should have had, if, indeed, we have not had, such an opposition. Well, my Lords, there remains this question—Was this question to be settled, or was Government after Government to be turned out of office, in consequence of failure on Reform Bills? Was the country to be kept in a state of perpetual turmoil and agitation? Was all legislation to be put a stop to because this great question stood in the way; or, were we to attempt to introduce a measure, so large as to satisfy reasonable public expectation, and at the same time to the best of my judgment so Conservative as to leave no ground for reasonable apprehension? My Lords, we decided upon taking the latter course. The task was a difficult one. To many of our Friends, and to still more of our opponents, it seemed absolutely impossible that we should succeed. But we endeavoured honestly to fulfil that which we conceived to be our duty. As I have more than once announced to your Lordships, I felt that that question of Parliamentary Reform was one which in the present state of parties no Government, be they what they might, could carry by their own unassisted strength, and in dealing with which no Government could force upon the Legislature their individual views; and that if we wished to pass a measure which should give general satisfaction, we must take Parliament into our councils and frankly and honestly confer with the representatives of the country concerning that measure. My Lords, in the first instance, as your Lordships are aware, it was our desire to have introduced the subject to the consideration of the House of Commons in the form of Resolutions. We thought that by the discussion of these Resolutions we could satisfactorily elicit what were the views of the House of Commons, how far it would be prudent and safe to carry our Bill, how far we might rely upon the support of the House, and where it would be desirable to fix the precise limits of the franchise. The House of Commons did not think fit to discuss these Resolutions. They complained—and complained with truth, I admit—that these Resolutions were of a very vague character, that they pledged the House to nothing more than certain broad principles, and left all the main details for future discussion. At the same time, I do regret that we had not the discussion we wished to invite upon these Resolutions, because all the main principles of the Bill we proposed were included in those Resolutions, and upon them we desired, in the first instance, setting aside, as far as was possible, all considerations of party, to invite opinion. The House of Commons, however, thought otherwise; and insisted that we should forthwith introduce a Bill. That being so, we then had to consider what should be the character of the measure we should introduce; and, my Lords, not without considerable discussion—not without very anxious consideration, the Cabinet finally came to the conclusion that, if, as the Resolution of 1859 announced that must be done, you abandon the standpoint of the £10 borough franchise, there was no fixed point at which you could safely remain without running the risk—without, indeed, incurring almost the certainty—of renewed agitation for a further advance, and that you must take your stand upon a household franchise, accompanied by residence and payment of rates. I will not now allude to the circumstances under which, as your Lordships are well aware, we were induced to submit to the consideration of Parliament propositions falling far short of that which we had desired to introduce — propositions previously considered in the Cabinet as a measure upon which, if the House of Commons could not be induced to go so far, we might fall back as a *pis aller*. It is sufficient to say, that, from all sides of the House, from Liberals and from Conservatives, that measure was denounced as not being sufficiently extensive, and the Conservative party were not less loud than the Liberal party in declaring that the measure must go further than a £6 rating franchise. In consequence of these declarations, we not only abandoned the measure, but consented to sacrifice three of our most valued and important Colleagues for the purpose of introducing, at the desire of the House of Commons, practically expressed, a system of election founded upon a rating residential household suffrage. I have said that there was no stand-point between these two —between this and the £10 franchise— upon which we could safely rely; and, if I wanted any illustration of this fact, it would be found in the various propositions which, not various Governments, but the same Government—at least, a Government the great majority of whose Members were the same—have made from the year 1852 down to 1866. In 1852 a £5 rateable value was proposed as the limit of the franchise; in 1854 that was increased to a £6 rating. In 1860 a £6 limit again appeared, but in the shape of rental and not of rates. In 1866 a £7 rental appeared as the limit to which the Government thought it safe to go; but it was accompanied by a most important provision, never inserted in any other Reform Bills, and, as I think, of the most Radical character—namely, the exclusion of the voter who claimed under a £7 rental from liability to rates or the payment of rates. But in every Reform Bill since the period of the Reform Act in 1832 down to that time the payment of rates had been insisted upon as an indispensable condition; but in 1866, for the first time, that payment of rates was dispensed with by the Bill of the noble Earl. [Earl RUSSELL: The principle was contained in the Bill of 1854.] I think the noble Earl must be mistaken. The Bill of 1854, I believe, dispensed with the payment of assessed taxes, but not of rates. The payment of assessed taxes had been dispensed with in 1854, 1858, and 1860; but, though the noble Earl should be a better authority than I am upon the question, I think I am right in saying that, for the first time, the Bill of 1866 relieved the intending voter from the payment of all rates, including the poor rate, although he had been previously relieved only from the payment of assessed taxes. I am speaking now of the borough franchise only, which is the most important portion of the Bill; and I say that, having come to the conclusion that the £10 standard could not be maintained, we looked about to see whether it was possible to take any other stand-point within that of household suffrage. We were encouraged in the belief that that was the only safe and enduring point that could be taken by the opinion, publicly expressed, of two most distinguished Members of the House of Commons, one a Conservative, the other a Liberal—Mr. Henley, the Member for Oxfordshire, and no less an authority than the late Attorney General (Sir Roundell Palmer), who in his place in the House of Commons declared that if the £10 standpoint were abandoned no other resting-place could be found than household suffrage. What, then, did we propose to do? What were the restrictions by which it might be thought satisfactory to guard that household suffrage? It might be feared that household suffrage pure and simple would introduce to the franchise a class of persons very unfit to exercise it intelligently and independently; but we were of opinion that, instead of estimating the qualification of a man by the amount of rent he paid for his house—which, in point of fact, was adopted in 1832 as a rough-and-ready way of drawing a line between different classes, and making a sort of compromise with public opinion—a far better test was to be found in a man's having for a considerable time been an inhabitant of a borough in which he sought to have a vote, and in his having during that time faithfully and punctually discharged the duties which devolved upon him by the payment of the rates and taxes to which he was liable. In adopting that principle we did not introduce any new qualification, nor one unknown to the history of the country. We were introducing the old English qualification of scot and lot, which prevailed in about forty boroughs before the Amendment of the Representation of the People in 1832. It is a principle well known to the Constitution—it is a principle which commends itself to the judgment, that those who are liable to contribute to the direct taxation of the country should have a voice in the election of those whose duty it is to impose that taxation. My Lords, we were desirous, no doubt, of accompanying that franchise with other qualifications, which were subsequently abandoned. One of these was the payment of a certain amount of direct taxation; another was the possession for a given period of a certain amount in the savings bank; and a third was what may be called an education qualification. These qualifications were not favourably received by the House of Commons, and they were abandoned. Another restriction proposed was that of the period of residence. The original proposition made by the Government was that the period of residence should be fixed for those below £10 occupiers not at one year but at two years. That restriction, however, was objected to, and that not on one side of the House alone. It was argued, and argued with some force, that a residence previous to registration of one year practically amounted to a residence, before the power of exercising a vote was acquired, of nearly two years. The period that elapsed between the making of the claim in July and the registration in the subsequent November imposes a residence of a year and a half; and then July is not the time at which persons usually enter upon new occupations; they would much more usually enter upon a new tenancy at Lady Day; and thus, from Lady Day to the time at which the registration would come into force, a year and three quarters would probably elapse. Upon these grounds we did not think it desirable to insist upon a residence of more than one year. We introduced another qualification which it is rather important to bear in mind as drawing a distinction between the new voter and those who were previously entitled to vote under the £10 qualification. It must be remembered that all the provisions contained in this Bill are not in substitution for, but in addition to, the franchise at present enjoyed, none of which are interfered with by the measure. When the amount of the rateable value was reduced down to the lowest possible sum we felt there might be in many boroughs a great risk of introducing what would practically be fictitious votes, by attaching the suffrage to the mere occupation of the smallest building, not being a dwelling-house, and that in this way a very objectionable class of voters might be placed upon the register. The Bill, therefore, which I have the honour of laying before your Lordships confines the occupation franchise in boroughs not to a warehouse, counting-house, or shop, as in the Bill of 1832, but strictly to a dwelling-house; and in that manner we think, however low we may go, however lowly rated the house may be, yet if the occupier has resided in it for a certain period, and has paid his rates, he is as likely to be an intelligent and an honest voter as the man with a £6 or a £7 qualification unaccompanied by the payment of rates, and bestowed in respect of a dwelling-house, counting-house, shop, or hovel of any description. I believe, therefore, although the principle we introduced is in its operation more extensive than that of the Bill introduced by our predecessors, yet practically it will introduce to the constituency a more respectable, a more solvent, a more intelligent, and a more steady class of voters than could have been introduced by the measure contemplated by the Government last year. It is difficult to calculate with any precision what will be the addition made to the constituency by this Bill. The only mode by which you can arrive at any conclusion is by ascertaining the proportion of the persons now entitled to vote who come upon the register, and by making a corresponding, or, as the inferior class, a somewhat increased deduction for those who, although qualified, do not come upon the register. It appears that about 30 per cent of the male occupiers at and above £10 do not appear upon the register. Assuming the same proportion for the occupiers between £10 and £7, and making, as is not unreasonable, a large deduction for occupiers below £7, in consideration of their more generally migratory habits, and of the circumstance that they are more liable to be behindhand in the payment of their taxes, so far as we can judge, we arrived at these results:—The present constituency in the boroughs numbers 452,000; the addition of occupiers from £7 to £10 will be 137,000; and below £7, 250,000 will be added. Of the male occupiers under £7, three-fifths are contained within thirty-seven of the larger boroughs, and consequently the proportionate addition to the smaller constituencies of the country will in point of fact be much more limited than may appear from the figures.

Knowing the trespass I must make on your Lordships' time, I am not now going to enter upon the difficult question, the consideration of which occupied the House of Commons a long time; I refer to the provisions with regard to what are called compound-householders. Your Lordships are aware that nothing can be more varying and uncertain than the cases of compound-householders under the Small Tenements Act and under various local Acts. The system of compounding varies in almost every borough. Some of them have a system under the Small Tenements Act, introduced at the discretion of the vestry. In other boroughs, again, some parishes are under the Small Tenements Act or under local Acts and others are not. Consequently voters in different parishes of the same borough are subject to different conditions. I need hardly remind your Lordships that the principle of all these enactments is that the landlord shall undertake the payment of rates for a certain number of houses, and that he receives a corresponding deduction for the risk he runs in assuming that liability. In point of fact he makes a contract for the whole of his tenants, taking the risk of loss on the one hand, and, on the other, paying only for each tenant from one-half to two-thirds or three-fourths of the rates due from him individually. It was quite clear that these tenants so compounded for, even supposing they paid the landlord the whole amount of the composition, would come upon the register with a great advantage over those solvent tenants who were paying the whole rate of the parish, and who were, therefore, the more important class of those in their own station of life. I have here a memorandum showing that in the first instance under the Reform Act provision was made that compounders were to be admitted to the franchise upon tendering the full amount of the rate. Again, by the 14 & 15 *Vict.* it was recited that it was inconvenient that persons in their positions should make repeated claims; and it was provided that when the compounder had once made his claim he should thereafter be entitled to be placed upon the register, although the landlord paid the rates for him; and it was further provided that the occupier's claim to be rated should not have to be made more than once in respect of his composition under the same landlord—thus putting the compounder in a better position than the ordinary occupier. When we introduced the Bill we proposed, as enacted in 1832, that the compounder should be admitted upon claiming to be rated and paying the full amount which an ordinary occupier would, and for which the landlord was authorized to compound. This proposition was described as being a fine upon the compound householder. I need not weary your Lordships by going through the lengthened discussion which took place on this subject, and which ended in the agreement that the Small Tenements Act and all the local Acts should be abrogated in all Parliamentary boroughs. There will be no more compounding after September next, except in the case of houses let out in apartments to lodgers. All occupiers will be liable to be rated, and on payment of the rate, will be entitled to vote. [Earl GRANVILLE: In Parliamentary boroughs?] Of course, we are now dealing with the elective franchise. The objection to taking the rateable value was assumed to be the great difference prevailing in different boroughs as to the amount deducted from the gross value for the purpose of estimating the rating. But when you enact that all tenements which are rated shall confer a qualification for the franchise, that question of the difference as to the amount of rate is altogether done away with. All the arguments, and I am sorry to say the false swearing also, which would arise out of a rental or rating qualification before the revising barrister are entirely put an end to, for the rate-book is in point of fact the test whether a man has been rated and has paid his rates. A proposition was made in the House of Commons—and I regret it was not agreed to—under which it would have been made competent for a landlord and tenant to agree, by mutual consent, that the landlord should be rated, and that in such an event the tenant should waive his corresponding right of exercising the franchise. If that provision had been introduced into the Bill it would have inflicted hardship upon no person whatever, because the transaction would be one of a voluntary character on the part both of the tenant and the landlord, it would have rested with the tenant to abandon his right of voting, while the landlord would have had the benefit of any arrangement which might have been made. That just proposal, as I deem it, was rejected by the House of Commons, and I think the result will be that in many boroughs great difficulty will be experienced in collecting the rates, more especially among the small occupiers. There is only one other qualification with regard to boroughs to which I wish to call your Lordships' attention, and that is one on which a good deal of attention has been bestowed by the other House—namely, the proposal to enfranchise lodgers. My Lords, I have already said that it was originally proposed, with the view of admitting a number of the more respectable portion of the working classes to the exercise of the franchise, that there should be three separate franchises. The first I may call an educational franchise; the next was the possession of a certain amount of money in the savings-banks; and the third was founded on the payment of a certain amount of direct taxation. It was thought that these provisions would introduce a considerable number of very respectable voters who, not being householders, would, according to the present law, be debarred from exercising the franchise. These provisions, however, did not find favour with the House of Commons, and the result was the introduction of the lodger franchise—which I am bound to say formed part of the proposal submitted to us by Parliament in 1859, and which was also included in the measure brought forward by our predecessors last year. And although Mr. Gladstone appeared at first not to attach much importance to it, yet he raised the most strenuous and determined opposition to a proposal to omit it, and declared that its omission would be the destruction of the Bill, which would be worth nothing if the lodger were not enfranchised. At the same time this franchise is introduced into the present measure with restrictions which I think will greatly mitigate the inconvenience that might result from the introduction of lodgers. And here I may remark that I do not for one moment doubt that a large portion of the lodgers, more especially in the metropolis, are men of higher station and greater qualifications than the persons who rent the houses in which they reside. Indeed I know one case of a respectable man who for many years lived in a house which was the property of his own servant. Of course, that is a strong and extreme case, but I know there are many cases in which men of considerable means occupy year after year the same lodgings, while the persons who give the receipt for the rent are, in many instances, obliged to make use of their marks instead of signing their names. But, my Lords, although the amount of the lodger franchise has been placed as low as £10 for unfurnished lodgings, yet it has not been thought right to propose it with no qualifications and restrictions; for it is provided in this Bill, as it was provided, I think, in the Bill of last year, that lodgers shall be compellable to show that they have occupied the same lodgings—and not successive lodgings—for the period of one year, and to make a claim annually to be placed on the register. Now, I believe that, under these restrictions, the lodger franchise will not make a very large addition to the number of voters throughout the country generally: I think it will make a considerable increase in the metropolis and other very large towns; but I believe that in the great majority of boroughs the addition made by this franchise will be so inconsiderable that it will not be practically felt.

My Lords, I think I have now said all I have to say with regard to the proposed franchise in boroughs; and I am happy to say that I shall not be under the necessity of trespassing at any great length upon your Lordships' time in referring to the proposed county franchises. You are aware that in addition to those franchises which are dependent upon property, and with which there is no intention on the part of the Government to interfere, there is at the present time—and I am almost ashamed to mention the fact in the presence of the noble Earl (Earl Russell)—only one franchise, and it is confined to £50 occupiers under the well-known Chandos clause. I confess that I could not quite make out the other day the objection of the noble Earl to that franchise—whether he thought it too high or too low—but somehow or other it did not suit him. The alteration proposed to be made in that occupation franchise by the present Bill is very similar to that which was proposed last year in the Bill of which the noble Earl was the joint author. We propose to reduce it from £50 to £12 rating, which will, I believe, be as nearly as possible equivalent to the £14 rental franchise proposed by the late Government and assented to by the House of Commons. Now, we have a fair means of forming an opinion as to the addition which will be made by this change to the county constituencies. We have a return of the number of male occupiers in counties of £50 and upwards, and also of occupiers between £12 and £50. From this it will be found that at the present time the number of occupiers of £50 and upwards in all the counties of England and Wales is 116,527; the number of voters under the property qualification being 423,744, this makes a total of 540,271 voters. The number of occupiers between £12 and £50 to be admitted to the franchise, making the usual deduction for those who will not probably come upon the register, will amount to 121,000, who will have to be added to the 540,271, spread over all the counties of England and Wales. But it is to be borne in mind that under the provisions of this Bill a very considerable deduction is made from the county constituencies by the abstraction from the counties of the population of those large towns which we now propose to enfranchise for the first time. These large towns contain a population exceeding 500,000, who will have to be removed from the county constituencies and added to the borough constituencies. There is one point in connection with this subject to which I wish to refer, because a clause has been introduced into the Bill in the House of Commons without, as it appears to me, any sufficient consideration. I am alluding to the clause which reduces the copyhold and leasehold tenure from £10 to £5. I believe that there are only one or two counties—Staffordshire, I believe, is one of them—in which that clause can produce any material change; but it will be attended with this consequence, which was not, I believe, foreseen by the House of Commons when the Amendment was adopted. At present the £10 occupation franchise is the occupation of a dwelling-house, counting-house, warehouse, shop, or other building; but the occupation franchise below £10 is limited to the occupation of a dwelling-house. Now, by the Reform Act of 1832, the borough freeholder was placed in this position, that he could not vote for a county in respect of any property which conferred upon him the right of voting for the borough; but a distinction was drawn between copyholders and leaseholders on the one hand and freeholders on the other, by which the former were debarred from voting for counties in respect of any property which would confer upon them or upon any other persons the right of voting in boroughs. Under this Bill this curious result will follow — that a leaseholder or copyholder being in possession of a £5 tenement in a borough, such tenement not being a dwelling-house, will not have a right to vote for the borough, nor will anybody else, in respect of that property: consequently he will have a right to vote for the county; whereas a leaseholder or copyholder of £10 and upwards, under precisely the same circumstances in the same borough, will be restricted from the exercise of the county vote. I do not think this is a matter of very material importance; but, as I believe it is an oversight on the part of the House of Commons, I thought it my duty to bring it under the notice of your Lordships. There is another point also to which I call attention. As I have already stated, a freehold occupation in a borough does not confer the right of voting for the county if it gives the right of voting for the borough. The result of the lowering of the franchise by the present Bill will be to take out of the county constituencies a considerable proportion of the freeholders who now exercise the right of voting in the counties. I mention this merely as an incident, but I have thought right to mention it because it may produce some, though not a large, effect upon the county constituencies.

My Lords, I now proceed, with many apologies for trespassing so long upon your Lordships' time, but I was anxious to place before you as fully and as fairly as I can the practical working of the measure—I now proceed to the question of the re-distribution of seats. I am quite aware that in the minds of many persons the measure of re-distribution we have proposed is not as extensive as could be desired. But, my Lords, we were desirous in the first instance not to carry the principle of disfranchisement further than was absolutely necessary for the purposes of enfranchisement. We proposed that our object should be enfranchisement, and we determined to draw our supply from those quarters which might best be able to afford it without seriously interfering with the existing representation, and in the first instance we proposed not to absolutely disfranchise any existing constituency. We thought that the small boroughs exercised a very useful influence, and formed a very important element in the general system of representation, which ought not lightly to be thrown away. Though in some cases they undoubtedly do increase the power of the landed aristocracy of the country, I do not think that is any absolute objection to their existence; because on the other hand they afford an opportunity of bringing into the House of Commons young men of talent and ability who have little chance of being elected by larger constituencies from the fact of their not being known, and who are thus early—a fact which I regard as of considerable importance—trained to the duties of public life, and having passed through the ordeal of the House of Commons are better fitted than they could possibly be by any other training to take their places, if that should be their lot, in your Lordships' House. We determined, therefore, except on the ground of notorious corruption, not entirely to disfranchise any borough, but to take one Member from all boroughs which, with populations of less than 7,000, now return two Members to Parliament. We thought that by these measures we should be able to supply the most urgent demands for enfranchisement both on the part of towns and counties. But the House of Commons thought fit to go further, and to extend the limit from 7,000 to 10,000, thereby placing fifteen additional seats at our disposal. When we had to consider this question of re-distribution, it was impossible to close our eyes to the great discrepancy which exists in the relative representation of boroughs and counties. Your Lordships, I know, are not fond of figures; but I trust you will permit me to make a comparison between the counties and the boroughs in regard to their population, their inhabited houses, and their rateable value. In the counties the population numbers 11,422,000, to be reduced by 580,000, as I before explained. In the boroughs the population numbers only 8,600,000. The rateable value of counties amounts to £59,700,000, of boroughs to £34,000,000. There are 540,000 electors in the counties and 489,000 in the boroughs. So that, as your Lordships will see, there is a large preponderance in point of wealth, population, and electors in favour of the counties; the electors in counties, too, being of a higher standard than those in boroughs; and yet, with all this enormous preponderance, the counties are represented by only 162 Members, while the boroughs return 334. That is to say, that while the wealth, the electors, and the population of the counties are very largely in excess of those of the boroughs, the Members representing the smaller population are more than double that representing the larger. Now, we made no pretention of doing away with all the anomalies which exist in our electoral system, nor to go by any strict rule; but it was impossible to consider the question of re-distribution and to overlook the claims of the counties to additional representation. It might reasonably be urged that the first sources from which we were to obtain the supply for the purposes of new enfranchisement naturally presented themselves in those boroughs where the grossest bribery and corruption had been proved to have prevailed. I recollect the noble Earl (Earl Grey) whose Amendment stands on the Paper of to-night, objecting last year to the appointment of Commissions to inquire into the corruption which was said to have prevailed in certain boroughs on the ground that while they involved the expenditure of much time and money, and engendered a great deal of ill-feeling, they were mere *brutum fulmen*—that they usually ended in nothing and left the evil absolutely untouched. We thought that we, at all events, would not leave ourselves open to that charge, and having the Reports of the Commissioners before us in the case of the four boroughs to which I shall presently refer more particularly, we determined upon applying a remedy which we hoped would have a deterrent influence in the future, and absolutely and entirely to disfranchise those constituencies. Two of them, at all events are important places—one of them, I am sorry to say, the metropolis of my own county; but we felt that if we were to visit severely the offences of the little and insignificant boroughs, and shrink from applying the same measure of justice to larger and more important constituencies, we should only encourage the evil we wished to cure, while we should at the same time lay ourselves open to the serious charge of being afraid to deal with powerful and influential offenders. I will mention some of the facts referred to by the Commissioners to show that the course which we adopted was the right one. The Commissioners report that, in the case of Totnes, £21,000 was spent from December 1862, to August 1865, principally in corruption, among 421 voters; that out of 364 who voted in 1865, 182, or precisely one-half, were scheduled as having been guilty of bribery, and that in the whole there was scarcely one voter in the whole borough who could be said to exercise his right of voting in an independent manner. That was the case at Totnes—and I am sure it must have been very painful to the noble Duke opposite (the Duke of Somerset). Then comes the case of Yarmouth. I must admit that the number of persons bribed in Yarmouth was less than in Totnes; but it must be remembered that Yarmouth was supposed to be a purified borough, and that the corrupt element in it, the freemen, had been struck of by disfranchisement on a former occasion. We therefore had to deal with a purified constituency—the noxious element having been altogether eliminated; and yet we found that out of 1,645 voters there were scheduled as guilty of bribery no less than 528. I am sorry to say, for the credit of my county, that the case of Lancaster is worst of all. In Lancaster there are 1,465 electors, and the expenses—the proved expenses—for the year 1865 were £14,530 between the four candidates, or as nearly as possible an average of £10 for every voter in the borough. The Commissioners found that of these voters there were guilty of bribery 834, and of corrupt practices, 139; making a total of 973 scheduled as guilty of bribery or of corrupt practices, out of a constituency of 1,465. The last of these boroughs is Reigate, which is a comparatively new town. The Commissioners reported that extensive bribery had prevailed at every election from 1858 downwards. There are no freemen there. The number of voters was 920; and there voted in 1865, 730. Of these there were bribed 346, and 220 of those who were bribed were occupiers of from £10 to £15, and 126 were occupiers of £15 and upwards. Considering that this is an account given by the Commissioners of the gross and notorious corruption which prevailed in these boroughs—not at one election only, but at successive elections—I think your Lordships will be of opinion that we have not dealt a too severe measure of justice in saying that an example should be made of them; and that no more legitimate source could be found from which to draw supplies for giving new or additional representation to some of the more important communities in the country. We proposed then, my Lords, to deal with the forty-five seats placed at our disposal by granting nineteen of them to new and important boroughs, or by increasing the number of Members to those existing boroughs which appear to be insufficiently represented. We proposed, for example, to give two Members to the new borough of Chelsea and Kensington, and to divide the Tower Hamlets, with a population of over 650,000 into two boroughs, each of them to return two Members. We proposed to give fresh Members to nine important towns, centres of various branches of industry, which we think can fairly claim to be represented in Parliament. We then proposed—or rather the House of Commons proposed—to give an additional Member to the four boroughs, Liverpool, Manchester, Leeds, and Birmingham, and to give a second Member each to Salford and Merthyr Tydvil which, as your Lordships know, have large populations and are important commercial towns. We proposed, next, to confer one of the remaining additional seats at our disposal to the University of London, subject to the same conditions with regard to voting as those which exist at the Universities of Oxford and Cambridge. The remaining twenty-five seats we proposed to distribute among the most important counties, dividing them into three divisions instead of two, and giving two Members to each division, and we have taken as our basis those cases among the existing divisions where the population exceeds 300,000. We thus propose to give two additional Members to twelve counties, and to divide South Lancashire into two hundreds, adding one Member—that is to say, giving to each of those hundreds two Members. We thus dispose of the whole twenty-five seats.

My Lords, I ought not, in introducing this Bill to your Lordships, to omit one very important consideration, and that is the question of the boundaries of the existing and future boroughs. Provisions were made in this Bill for temporary boundaries in the case of the new boroughs, which we propose to create; but the Bill does not, of course, propose to interfere with the boundaries of existing boroughs. We have thought it right, looking at the great increase which has taken place in the number of the population—more especially in the places already represented—to issue a Boundary Commission, as was done in 1831, for the purpose of examining how far these towns have outgrown their original limits, and how far the populations beyond the present limits may be legitimately included within. With regard to the names of the Commissioners, I think your Lordships will be satisfied that, at all events, no consideration of party feeling has influenced their appointment; and I am quite sure that it will be the unanimous feeling on both sides of the House that we could not have placed so responsible and arduous duties in better hands than those of the noble Lord (Viscount Eversley) who, for many years, with great credit to himself and advantage to the country, filled the high position of Speaker of the House of Commons. There are provisions in the Bill to which I think it hardly necessary to call your attention—such, for instance, as the number of polling-places; but there was a provision, the omission of which I very much regret, for enabling voters, more especially in counties, to vote by means of voting papers. That provision has, I believe, been found of very great advantage in the elections for the Universities of Oxford and Cambridge. [*A laugh.*] I may remind noble Lords opposite that the result of the last election for Oxford was not due to this provision; but that the majority on that occasion was composed in pretty equal proportions of those who voted in person and of those who voted by voting papers. Similar provisions have been introduced in the case of the new constituency of the University of London. I greatly regret that the House of Commons has not assented to a like provision of a general character in this Bill, which would, I think, be attended with great advantages, especially in counties, in diminishing the expense of elections. Voting papers would also, I believe, have the effect of increasing the number of votes recorded at elections by enabling persons of advanced years, and others who may be infirm, or from any other course unwilling to expose themselves to tumult or possibility to riots at a popular election, to give their votes freely and quietly for the candidate of their choice. However, the House of Commons has rejected that provision, and, therefore, it is not necessary for me to say more about it.

My Lords, I believe I have now gone—at great length I am aware—through all the principal provisions of the Bill. But before I sit down it is necessary that I should advert to the Amendment of which notice has been given by my noble Friend opposite (Earl Grey). There is no person in your Lordships' House whose opinions on the subject of Parliamentary Reform—indeed, on any other—are more worthy of attention and respect than those of the noble Earl. I know that the question of Parliamentary Reform and of the constituencies has engaged his attention for many years; and I know, further, that the character of his mind has induced him to give to the subject the most fair and dispassionate consideration, therefore, on this and on every other occasion I should wish to listen, with the most respectful attention, to any suggestion the noble Earl may think it right to make; but I must frankly admit that the Amendment of which he has given notice to me appears to be absolutely incomprehensible; I cannot conceive what earthly purpose it can be supposed to serve. What is the Amendment of which the noble Earl has given notice? It is this—

> "That the Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question, or to promote the future good Government of the Country; but the House, recognizing the urgent Necessity for the passing of a Bill to amend the existing System of Representation, will not refuse to give a Second Reading to that which has been brought to it from the House of Commons, in the Hope that in its future Stages it may be found possible to correct some of its Faults, and to render it better fitted to accomplish the proper Objects of such a Measure."

Now, my Lords, in what different position does this Amendment, supposing it to be carried, place your Lordships from that at which you stand at the present moment? I could understand objections being taken to this Bill—I could understand a Resolution affirming that it is utterly faulty in principle and in detail—and I could understand a Resolution being advocated with all the eloquence and power of the noble Earl to induce your Lordships to take what I most respectfully think would be the inexpedient course of rejecting the Bill upon the second reading; but to declare in one breath that the measure is so faulty that it is not calculated to promote the object in view, and, at the same time, to declare that you are going to vote for the second reading of the Bill with a view of amending it in Committee, appears to me the most gratuitous interposition between the introduction of a measure and the passing of a particular stage that ever was attempted in a deliberative assembly. I do not know whether the noble Earl entertains a serious intention of dividing your Lordships' House upon this question, or whether he is able to calculate on very general or universal support on the other side of the House; but, certainly, as late as two days ago, I was led to believe that very general support would be given to the Amendment on the other side of the House. If that is not so, I have only to apologize to many of my Friends, to whom—thinking the matter of the utmost importance, and one that it was necessary to meet in a determined manner—I gave the trouble of coming from Scotland, from Ireland, and from different parts of the world. I almost hope it may be found that, being here, they have come to no purpose, and that no serious intention exists of supporting the Amendment. Not only do I think this Amendment unnecessary, but it is, I think, peculiarly ill-calculated to promote what we all desire—namely, a good understanding between this and the other House of Parliament. Recollect that the Bill which you condemn in these strong terms has passed with the unanimous assent of the House of Commons, after having been investigated most laboriously in Committee; after having had all its details settled, and, as a whole, accepted without a single dissentient voice. It is with regard to that Bill you propose to declare, not to enact, but, in the terms of the Amendment, to declare, that it is absolutely unsuited to the circumstances of the case, and that it is not calculated to effect any permanent settlement of the Reform question. And then, having given this slap in the face to the House of Commons which has sent you up this Bill, you proceed to say that you will condescend to examine the measure and see whether you may not be able to put it into more satisfactory shape, and to do away with some of the faults that it at present exhibits. I must say that this Amendment is utterly useless for any practical purpose in your Lordships' House, and I think it is little less than insulting to the House of Commons. I do entreat the noble Earl himself to consider whether it is desirable that he should press it. For my own part, I must say that I consider it would be quite inconsistent with the position of a Minister of the Crown to send down to a Committee of your Lordships' House a measure stamped with your condemnation in the first instance, and having the stigma of entire disapproval placed upon it, notwithstanding the unanimous approval of the House of Commons. I do not wish to throw out anything in the character of a menace; and therefore I beg the noble Earl himself to consider whether it is consistent with the respect which we owe to the House of Commons, and to the labour which they have bestowed upon this measure, to stigmatize the Bill, as the noble Earl proposes to do, as one wholly unsuited to the circumstances of the time, and incapable of being made the basis of a satisfactory settlement; and then to send it down, somewhat contemptuously, to be pulled to pieces by a Committee of your Lordships' House. I do not think that is a course consistent with our usual procedure, or one that it is desirable to adopt. No man can entertain more fully, or express more unhesitatingly than I do, my sense of the perfect right of your Lordships' House to deal with this and every other question as seems to you fitting and just. You have a perfect right to examine and discuss all the details. In the measure, as it may be introduced and carried, you have as real and as deep an interest as the other branch of the Legislature; and I shall listen with profound respect and the most anxious consideration to any Amendment your Lordships may suggest, or to any discussion you may think fit to raise upon the details of the measure. But I do beseech and entreat you — forgive me for using the expression—not to stultify yourselves by condemning the measure in the first instance, and then assenting to the second reading, and sending it down to the Committee with a reproachful stigma affixed to it. Contemptuous treatment, such as this, is not the treatment which a measure that has received the unanimous assent of the other House has a right to expect at your Lordships' hands.

I have to apologize for detaining your Lordships so long; I only hope that, in any course which your Lordships may think it right to adopt, you will not think it expedient or consistent with your duty to oppose the second reading of the Bill. I believe myself that it is a Bill at once large, extensive, and Conservative; and that, if it should receive the sanction of your Lordships' House, it will effect a settlement, that will, for a long time to come, be considered satisfactory, of a question which, while it remains unsettled, will be a source of perpetual agitation, an obstruction and impediment to all other useful legislation.

Moved, "That the Bill be now read 2^a."—(*The Earl of Derby.*)

EARL GREY: My Lords, the noble Earl who has just sat down has objected to the Amendment of which I have given notice as an unusual one, and I agree with him that to a certain extent it is so. But the circumstances in which we are called upon to consider the subject he has brought before us, as the noble Earl himself reminded us at the outset of his speech, are also unusual. And the course which I am taking is only unusual in this respect, that while it is strictly in accordance with the practice of both Houses of Parliament to move Amendments on the second reading of Bills, these Amendments are generally intended to defeat the Bill on which they are moved, whereas the Amendment which I am about to move has no such object, and is couched in terms which plainly mark that it is not meant to interfere with the progress of the Bill. My Lords, my reasons for moving this Resolution are not difficult to explain. We are asked to read a second time a Bill which appears to many others as well as to myself to be of a dangerous character; in ordinary circumstances, the proper course for those who entertain such an opinion of a Bill which the House is asked to read a second time, is to move its rejection; but this course is not practically open to those who disapprove of the present Bill; we feel that legislation on the subject is necessary, and looking to the state of parties, and to the manner in which Her Majesty's Ministers have introduced and passed this measure through the other House, it is certain that if it were to be summarily rejected the question of Reform would immediately become the subject of renewed agitation. and would again put a stop to all practical legislation upon other subjects while it is most probable that in the end we should have to assent to a Bill not less mischievous than that now before us. These considerations, in my judgment, make it inexpedient that your Lordships should reject this measure. What we should endeavour to do is, not to reject, but as far as possible to improve it. But in order to bring before your Lordships with any chance of success, those Amendments which, in my opinion the Bill requires, it is necessary that the attention of the House should first be called to the dangerous character of the Bill as it stands, and to the consequences which it is calculated to produce. When the Bill is in Committee we shall only be able to discuss the separate Amendments that may be moved, and it will be quite impossible for your Lordships to form a correct judgment upon these Amendments unless you have previously fully considered the effect of the Bill as it stands. The first step towards inducing your Lordships to adopt Amendments of the Bill is to convince you that the Bill as now brought before you is a bad one, and that some Amendment is required; which can only be done by a discussion on the general scope and character of the measure, for which the Committee will afford no opportunity. It is said that, without moving any Resolution, the results proposed to be gained from a general discussion might be attained by a mere debate on the second reading. But it does not require much Parliamentary experience to know that, whether in this or the other House of Parliament, a debate which is to conclude without any expression of opinion seldom attracts much of the attention of the House, or elicits in any marked degree the real sentiments of the assembly, In the course, then, which I have taken, my great object is to induce your Lordships seriously to consider the very dangerous character of the measure now before us; and I believe that end is more likely to be attained by my moving the Resolution of which I have given notice, than it would be if the second reading were allowed to pass without opposition and without calling upon your Lordships for any opinion on the Bill.

My Lords, the noble Earl (the Earl of Derby) says that to pass a Resolution of this kind would be an insult to the House of Commons, and as I understand him, also to Her Majesty's Government. I own that I can see no fair ground for that assertion; your Lordships, as the noble Earl himself has said, are entitled freely to exercise your judgment on any measures sent up from the other House. I want to know then, what just offence the House of Commons can take if, instead of rejecting it as it is admitted we might, we content ourselves with expressing our opinion that the Bill in its present shape is not calculated to effect a permanent settlement of the question of Reform, or to promote the future good Government of the country—more especially when I remind your Lordships of the notorious fact that it was only by a very curious combination of circumstances that the House of Commons has been led to pass this Bill without serious opposition? It is well known—and I believe few of your Lordships would dispute the fact—that if the Members of the other House were individually asked their opinions of it, not less probably than three-fourths of the whole House would concur in the opinion which my Resolution expresses. I venture to make this assertion without fear of contradiction by those who have the means of observing what is passing in men's minds; and I know that what I say is the feeling of the great majority of the House of Commons, and is likewise the feeling of a very large majority of the public out of doors. By what extraordinary combination of circumstances we find ourselves practically unable to refuse our assent to a Bill which gives so little satisfaction to any one, it is not my intention now to inquire. The noble Earl, at the outset of his speech, gave us a sketch of the history of this question—of the circumstances which induced the Government to propose the present measure, and which led to its being passed by the other House. In a considerable part of what he said I myself concur; but I think that the history he gave us of these transactions was defective and therefore inaccurate. It is more of the noble Earl's omissions, than of the positive inaccuracies of his statements that I complain; and the effect of those omissions is to produce a very mistaken impression as to the causes which have led to the introduction of this measure. Were this the time for entering into the matter, I cannot help thinking that if we looked carefully into the history of the question of Reform for the last fifteen or sixteen years, we should find that the blame for the present most unfortunate state of affairs does not rest exclusively with the noble Lords behind me, on account of the part they took, but that both sides are deeply to blame, and that on a calm review of the circumstances, neither party has much right to find fault with the other, while the country may justly complain of both. But this is not a proper time for entering into that subject; for the present I wish to keep entirely clear of any party and personal topics, and to address myself solely to the great public question of the character of the Bill now before us.

My Lords, the Resolution which I shall have the honour to submit to you begins by stating that this Bill is not calculated to effect a permanent settlement of this question of Reform. I need not waste words in proving that a measure of Parliamentary Reform ought to hold out the prospect of settling the question, at least for some considerable time; there has been a general concurrence of opinion on that point among all the highest authorities, and within the last few years we have had the most striking practical illustrations of the fact—that great evil arises from leaving this question open, seriously interfering as it does with all useful measures of legislation; and I believe there is hardly one of your Lordships who would not concur with me in saying that it is one of the first requisites of any measure of Parliamentary Reform which deserves our approval that it should be calculated to effect a settlement of the question which is not likely to be very speedily disturbed. If that be so I venture to submit to your Lordships that the Bill which we are now considering does not possess that requisite; I say it does in no respect effect a settlement of the question, and in support of that opinion I will call your Lordships' attention to some of the provisions of the measure. The noble Earl opposite very truly said that the most important part of the Bill was that which relates to the borough franchise. He stated what were the reasons which had induced the Government to propose so great a reduction of the qualification, and, to think that the present borough qualification once departed from, it would be impossible to stop short of a rating household qualification. I am bound, my Lords, to say, that in a great part of the noble Earl's argument on that point I concur; I have always felt that there was much to be said for the £10 qualification. It was a test—perhaps a rough and imperfect one—but still living in a £10 house with the payment of rates and taxes was to a considerable extent a test of the fitness of a person to exercise a great political trust. It showed that he occupied a position in society, which afforded a fair presumption that that trust might properly be vested in him. It also had this advantage, that, while it admitted many of the working classes to the elective franchise, it left it likewise to depend on themselves whether it should not admit many more; because, owing to the growing prosperity of this country, in the greater number of our towns there is no industrious man who, by frugality, sobriety, and prudence, may not hope before he is far advanced in life to become the occupier of a £10 house. The effect of the £10 qualification, therefore, was not to exclude the working population, but to admit to the exercise of political power that portion of them who, by their conduct, showed themselves to be most deserving of it. But when you go below £10 the case is different; when you come to £7 or £6 houses, it appears, from the best information, that in many towns the worst as well as the best of the working classes would be admitted. The character of the qualification depends much on the circumstances of each individual town. And, above all, as the noble Earl has said, there was to my mind this great objection to all these proposals, that it is impossible to find any intelligible and satisfactory reason for adopting any one particular figure more than another. I admit also that what the noble Earl said was true, that to adopt the principle of making the right to vote depend upon the payment of rates, was to revert to an ancient practice of the Constitution, that it was apparently to come back to the system of scot and lot voters, and that therefore to adopt the principle of giving a right to vote to all householders who are rated and pay their rates has much to recommend it. I make these large admissions to the noble Earl. I concede all that there was to be said in favour of the franchise which the Government have proposed, and I own that the feeling in my own mind at first was very much the same as that of the noble Earl with respect to any departure from the £10 franchise at all—I believed that if the £10 franchise was to be disturbed as a test of value, there was no stopping at any particular sum. But the conclusion I came to was thus far different from that of the noble Earl—namely, that it would have been more judicious in proposing a Reform Bill to have adhered to the £10 qualification, and when it became necessary to extend the right of voting beyond those who could claim it as the occupiers of £10 houses, this should have been provided for, not by admitting the occupiers of houses of lower value, but by creating some new franchise not depending on the occupation of any particular description of house, but on some other qualification. It appears to me moreover—while I admit that there is much to be said in favour of the principle which the noble Earl has adopted—that in adopting that principle Her Majesty's Government altogether lost sight of the insuperable practical difficulty in its application which arises from the fact that, in many cases, the owners of houses are rated instead of the occupiers. It is under this practical difficulty that the plan breaks down. I would remind your Lordships that when the Bill was originally brought in its provisions on this point were entirely different from those it now contains. Following the example of the Reform Act of 1832, it only gave to the occupier of a house for which the landlord was rated, a right to claim to be rated and thus to acquire a vote. It was contended that this would not answer the purpose in view, and the unequal manner in which the proposed law would operate in different places was so strongly insisted upon that the Government determined at last violently to break through the difficulty they did not know how otherwise to get rid of, by assenting to the introduction of a clause suggested by an independent Member, putting an end to the whole system of rating owners instead of occupiers in all Parliamentary boroughs. That alteration was adopted almost without discussion, without any notice to the parties who might be affected by it, and without any due consideration of the consequences to which it would lead. This was a matter which ought not to have been so dealt with; but this, my Lords, is only one among the many proofs afforded by this Bill of the little care and judgment with which the question of Reform was considered before it was brought under the notice of Parliament. Now I need hardly impress upon your Lordships how necessary it was, considering the difficulties of the question and the importance of avoiding all mistakes when dealing with the future form of Government of this great country, to be prepared with the fullest information upon the subject. Your Lordships will remember that, both last Session and at the commencement of the present Session, I ventured to urge how indispensable it was to wise and judicious legislation that there should be a careful inquiry into the means by which a measure of Reform could be adopted without leading to dangerous consequences. It is to the want of consideration with which this subject has been treated that all the defects of this Bill are, in my opinion, to be attributed. I wish now, however, to call your Lordships' attention to the effect of the introduction into the Bill of the 7th Clause, which provides that in future in Parliamentary boroughs owners shall not be rated instead of occupiers, except in the single case where the house is wholly let out in apartments not separately rated; in all other cases it is required that the occupier and not the owner shall be rated. Now, let me remind your Lordships of the circumstances under which the system you are going to abolish sprang up. Shortly after the commencement of the present century various local Acts were passed, which gave power to the authorities that in those particular boroughs the owners, instead of the occupiers, of small houses should be rated. These Acts were followed up by Mr. Sturges Bourne's Act. That Act, after reciting that in many instances the owners of small houses were enabled to obtain higher rents owing to the hope and expectation that rates could not be collected from the tenants, gave power to parishes to rate the owners instead of the occupiers with respect to houses of between £6 and £20 in value. That Act never came into extensive operation, chiefly, as I believe, in consequence of its not applying to houses under £6 value, while it is precisely those houses as to which the rating of the owner was most called for; but Parliament went on passing local Acts, and a Committee of the House of Commons reported in favour of the principle of rating the owners of small tenements. A few years later—namely, in 1843—the Poor Law Commissioners presented an able and exhaustive Report upon the whole subject of local taxation; and in that Report they went very carefully into the question of rating the owners instead of the occupiers of small houses. The conclusion at which they arrived was this—that in the great majority of cases it was practically impossible to collect rates from persons occupying houses by short tenures, more especially from weekly tenants; that the rate could not be recovered from them, and that this had led to the general practice either of omitting to rate such houses at all, or else of never collecting the rates from them—the consequence being that no small part of the property in populous parishes escaped rates altogether. In some parishes, as they pointed out, as much as a fourth of the whole sum assessed was thus lost, while in few populous parishes was the proportion less than a tenth. They went on to remark that the taxation from which this one description of property was thus relieved fell with increased weight upon the other descriptions of property which paid the rates; and they pointed out that owners of small houses almost universally understood the advantage of so letting them as to render the collection of rates practically impossible, and then availed themselves of this exemption from rates in order to obtain in the shape of increased rent as much as their tenants would otherwise have had to pay in the form of rates. They urged moreover that the system of excusing a certain description of property from rates acted most injuriously, that it was demoralizing to the persons who were excused, that it rendered both owner and occupier indifferent to the amount of rates; and they concluded by saying that there were few more active sources of abuse in local administration than this system of exempting property. Two or three years later—in 1845 or 1846—this House appointed a Committee to inquire into the subject, as the other House had previously done, and that Committee also came to the conclusion that the owners instead of the occupiers should be rated in certain cases. In consequence of this general concurrence of opinion, an Act, known by the name of the Small Tenements Act, was passed in 1850, enabling vestries or other parochial bodies to rate the owners of houses under £6 value; and it is a remarkable fact that the second reading passed the House of Commons with the most trifling opposition, and that in supporting it the present Secretary of State for War stated that all those interested in local administration must be aware that the then existing state of the law bore very hardly upon the poor, and that the only objection he had to the Bill was that it was not general and compulsory in its operation. Now, it is possible, no doubt, that all these various authorities who inquired so carefully into the subject, and that Parliament in legislating in that direction for half a century, may have been mistaken; but I must say that it was not decent to reverse a policy so deliberately adopted, and abolish the system of rating owners by a clause introduced at a moment's notice into a Bill dealing with a totally different subject. I find, according to the reports in the newspapers, that deputations have waited upon the noble Earl opposite (the Earl of Devon), at the Poor Law Office, to represent the various injurious effects which would be produced by this clause. They have stated that rents will not be reduced in consequence of the rates being imposed on the tenants who will thus be subject to a new burden of £2, £3, and in some of even £4 a-year. They affirm that it will be found utterly impossible to collect the rates from the great majority of these poorer householders; that under the present circumstances rents are only collected with great difficulty, and by means of a harrassing and painful character—that the collectors have to hunt up the tenants on Saturday evenings or Sunday mornings in order to obtain the rent. They say that another effect of the abolition of the present mode of collecting rates from owners, would be to throw additional burdens on the heavily taxed ratepayers, and that in some parishes the loss would be not less than 25 per cent of the total amount assessed, and, of course, that loss would have to be borne by the real ratepayers. These and such as these were the representations that the deputation urged; and what was the answer made to them? My Lords, I do not find that any attempt was made on the part of the Government to deny the justice, the accuracy, or the force of those statements, or to contest the allegation that this system would operate most unfairly to the ratepayers of the parish. All that was said in reply was that political objects were paramount—that great and unexpected difficulties had arisen to the progress of the Bill in connection with compound-householders. Now, what does that amount to? It is admitting in other words that you have brought in a hasty and inconsiderate scheme for the extension of the franchise, and that finding no other mode of meeting the objection, to propose by a stroke of the pen to repeal both general and local Acts of Parliament on the question of rating; every householder is henceforth to pay his own rates. I have shown you what is the opinion of those most able to judge as to how this will work in the metropolitan parishes, consider especially how it will affect the poorest; your Lordships know the circumstances of the parishes in the east of London; you know without imposing upon them this gratuitous burden these parishes have already great difficulty in supporting the pressure upon them. We are assured, and I have no doubt with truth, that a large proportion of the rates now paid by the owners of small houses will be lost, because it will be impossible to collect them from the occupiers, many of them will quit their lodgings to escape payment, many are so poor that the magistrates will refuse to grant warrants of distress to levy the rates. What is thus lost must be recovered by increased rates on those a little higher in position. But in the East of London these ratepayers upon whom the additional burden will fall are small shopkeepers, tradesmen, and other persons very badly able to bear it, and on those working men who have some little property, and from whom the rates may possibly be levied, they will also fall with extreme severity. I ask your Lordships, then, whether such a change in the law is not likely to create discontent? Do you believe that a system, which will bear thus hardly and unjustly upon the very persons whom you are going to invest with political power, will continue? It is as certain as anything in the future can be, that when next September this new system comes into operation the clamour from those affected will be so great and the pressure upon their representatives so irresistible that this great security of yours of personal rating will be swept away. My Lords, no man can suppose that this is a permanent settlement. The very same causes that have induced a reluctant House of Commons to pass a Bill of which in their hearts they disapprove will in like manner next year induce them to remove the last of those securities that three or four months ago were announced with so much parade, and all of which, save this one, have now vanished. No doubt, this will follow the fate of its predecessors, and then no human being will be without the right of claiming a vote, except, perhaps, those unhappy persons who live huddled together, several families in a single room —or those, more unfortunate still, who have no settled abode at all. For these reasons I contend that the assertion contained in the Resolution that this Bill is not calculated to effect a permanent settlement is more than justified so far as regards the franchise. The clauses which relate to the re-distribution of seats can even less pretend to hold out a prospect of such a settlement, their effect will be to destroy the authority of prescription as a reason for continuing to places that now enjoy it, the right of returning Members to Parliament; to recognize the principle that representation should have some regard at least to the numbers of the several constituencies, and yet on the whole to increase instead of diminishing the anomalies of our existing system. By the enormous addition which will be made to the constituencies of the largest boroughs, while the increase in the smallest constituencies will be comparatively trifling, the existing inequalities will be rendered more glaring and more indefensible than ever. The result will be a distribution of political power, so utterly capricious and unreasonable, and so entirely without any foundation of reason or of expediency to rest upon, that no man in his senses can suppose that it will endure, and the question will immediately be reopened. This is no doubtful speculation as to what must happen, those who have read the newspapers, the organs of the democratic party, must have observed that they have deprecated any attempt to improve this portion of the Bill, on the ground that the very excess of its faults, as a measure for the re-distribution of seats, is an advantage, since it will ensure the question being immediately taken up by a new Parliament, in which they will have far better means of settling it to their minds. Nor is it an unimportant fact that the gentleman put forward by the noble Earl's own party as the Conservative candidate for Birmingham, has avowed his conviction that this scheme for the re-distribution of seats is merely provisional.

I trust I have said enough to convince you that there is ample ground for the first assertion in the Resolution that this Bill is not calculated to effect a permanent settlement of the question of Reform; let me now endeavour to prove that it is equally true that it is not likely to promote the future good government of the country. The whole character of our Government, as your Lordships are well aware, depends upon the composition of the House of Commons. If that House contains a due proportion of men of ability, of judgment and integrity—if the body, taken as a whole, is one in which such men have the greatest weight, and exercise a predominating influence — with a House of Commons so constituted we may feel sure that the country will be well governed; that both the Executive Government will be well administered, and that legislation will be directed to proper and useful ends. The noble Earl (the Earl of Derby) has pronounced an enthusiastic eulogy on the House of Commons—he has described in language which even went beyond what I should be disposed to employ, how well the House of Commons as at present constituted has answered its purpose, and how efficiently it has discharged the important duties entrusted to it. I cannot quite join in that eulogy, for I cannot say, particularly after the experience of the present Session, that there is not much room for improvement in the House of Commons. But, under the Constitution which you propose now to establish, will you have a House of Commons equally competent to deal with the complicated, the vast, the momentous interests of this Empire? Will it be a House inclined to do equal justice to all classes in the country? In the House of Commons, as it now is, every class of the community has been able to make its voice heard, and has found its interests represented; even the views and feelings of the working classes have had able and distinguished representatives. What will happen now? The noble Earl at the head of the Government has frankly confessed that he is unable, and that, in fact, it is impossible to calculate upon what the consequences of the Bill will be. But, my Lords, even apart from those further changes which may be seen, not indistinctly, looming on the horizon—apart from the popular agitation for these further changes which the measure will inevitably give occasion to—can we expect that a House of Commons elected under this Bill will be as competent as the present House has shown itself to guide and control the interests of all classes, and to watch over the fortunes of the Empire? From all the information before us, it seems quite certain that in almost all boroughs the new voters will be at least equal in number to the old ones, while in some places they will bear to the present electors the ratio of three or four to one. Now, who are these electors of the future who will thus outnumber the existing constituency? They will be necessarily drawn from one single class, composed of those who have enjoyed the smallest advantages of education, and have had the least opportunities of gaining that knowledge which is the basis of sound judgment on political affairs. Is not this measure calculated to throw a monopoly of power into the hands of a single class? And yet you are going deliberately to hand over to this one class the absolute command—while they act together—over the representation of the English boroughs, and are thus going to make an enormous addition to the power of numbers as compared with the power of property in this country. I ask your Lordships to give these circumstances their due weight. I would ask, is it safe to hand over to this one class, who will be created by this Bill, supreme political power? I am told that to ask the question is to libel the people of England; I am told that those who will form the new constituencies are so devotedly loyal to their country and to the Crown—that their intentions are so good that we ought not to distrust them. My Lords, I do not distrust either their loyalty or their good intentions—but I doubt whether the people have the knowledge and the experience to enable them in all cases to see through the arts of those who will have an interest in trying to mislead them. I do doubt whether they will always prove themselves able to exercise a sound and wise discretion in the choice of representatives, and to send up to the House of Commons men who will perpetuate its high character as a deliberative and legislative assembly. My Lords, I cannot forget that the man who has been the instrument of perpetrating those fearful outrages which have so shocked the world, that most atrocious criminal, Broadhead, was the man chosen to be entrusted with power in managing their affairs, not only by an individual trade society, but by a large union of such societies, including some of the best workmen in England. I entirely acquit the members of those societies generally of criminal participation in the murders that were committed; I believe that those guilty of such participation were a very small minority; but I must say that the evidence which has been published is conclusive on this important point—that the classes of men who are included in these unions are men who permit themselves to be deceived by the designing men whom they have chosen as their chief advisers. I say further that, at this moment, their principal and their most trusted advisers, if we are to judge from what has appeared in the newspapers, are men who, although I would acquit them of criminality, are imbued with notions with respect to the interests of working men, and what is calculated to promote them, which, if reduced to practice in the legislation of this country, would be fatal to the prosperity, the peace, and the safety of the Empire. I cannot but fear that under the influence of these men, and with the opinions which have been shown to prevail very extensively among the working classes, Members will be returned to Parliament pledged to measures, popular at the moment, but really calculated to prove deeply injurious to those who call for them. I do greatly fear that the increased expense of elections, the obligation which the enormous addition to the numbers of the constituencies will impose upon candidates, in order to obtain their return, to have recourse to means of ingratiating themselves with the multitude repugnant to men of high and independent feelings, and to submit to the dictation of a class of jobbing intriguers who will spring up and acquire the virtual dominion of elections, I say I greatly fear that these will gradually drive out of the House of Commons men of cultivated minds and independent character, those who from their intelligence and judgment are able to give the best advice and form the soundest opinion on the great questions affecting the welfare of the nation, which the House of Commons has to discuss and to decide. I anticipate with alarm that the effect of the proposed change will be to lower and vulgarize the character of Parliament, and in proportion to deteriorate both legislation and the Executive Government of the country. These fears, my Lords, can hardly be considered chimerical by those who have looked with any attention at what goes on in our Australian colonies, and on the other side of the Atlantic. It was long ago said by Tocqueville, and the fact has since become far more evident, that the extremely democratic system of representation has utterly deprived the higher and more cultivated classes of society of all influence in the Government of the United States. They have withdrawn in despair from all attempts to take part in the administration of public affairs, and political power has fallen exclusively into the hands of jobbing politicians, who abuse, for their own selfish purposes, the power they wield. I could have wished to have added a few remarks on the lesson we ought to draw from the experience of the United States, but I feel that I am totally unable any longer to address your Lordships. The noble Earl concluded by moving his Amendment.

An Amendment *moved* to leave out from ("That") to the End of the Motion for the Purpose of inserting the following Words :—

("the Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question or to promote the future good Government of the Country ; but the House, recognizing the urgent Necessity for the passing of a Bill to amend the existing System of Representation, will not refuse to give a Second Reading to that which has been brought to it from the House of Commons, in the Hope that in its future Stages it may be found possible to correct some of its Faults, and to render it better fitted to accomplish the proper Objects of such a Measure.")—(*The Earl Grey.*)

LORD RAVENSWORTH said, he was not surprised at the opposition offered to the measure by the noble Earl who had just sat down: but he was surprised that one of the noble Earl's great experience in Parliamentary warfare should have adopted a course so unusual, not to say so un-Parliamentary, as the Resolution to which he invited their Lordships' assent. The Resolution might be divided into two parts, either of which could be brought forward separately and in a sense opposed to the other. The noble Earl might with perfect propriety, and in accordance with his own views, have asked the House to affirm that the Bill before them was not suited to the wants of the country, and did not effect any permanent settlement of a great question; and upon the view so put forward he might call for the decision of their Lordships; but that course would involve opposition to the second reading of the Bill, which the noble Earl was not disposed to attempt. The second part of his Amendment, declaring that in the circumstances of the time the House would not refuse its assent to the second reading of the Bill, would equally have been capable of being moved as a substantive Resolution. But what he (Lord Ravensworth) desired to learn from the noble Earl was, what, in his opinion, would effect a permanent settlement of this agitated question? No man was better versed in all the difficulties of the question than the noble Earl himself: but did he mean to say that any Bill which he or any one else could bring forward would pass unchallenged in future Parliaments? The only guide they could have in this matter was by attempting to read the future by the light of the past. What happened after the passing of the first Reform Bill? That Bill was carried with the assent of the whole kingdom; as far as the popular voice was a criterion, the cry was for the Bill, the whole Bill, and nothing but the Bill. After it had passed, how long was it before agitation commenced again? In three years from the passing of the Bill, some of those who had taken a leading part in passing it gave the signal for a new crusade against existing institutions—for further extensions of the liberties which had been already so largely extended. The noble Earl opposite (Earl Russell) would perfectly well recollect the Amendments moved in the House of Commons to the Speech from the Throne in the first Parliament of her present Majesty. The then Member for Finsbury (Mr. Wakley) put forward three Amendments which afterwards formed part of the People's Charter, and the noble Earl opposite, with great justice and wit, described these Amendments as "all three compounded of the same drugs, though labelled with different labels and wrapped up in different papers." Next came the Chartist League, with its demand for annual Parliaments, universal suffrage, vote by ballot, equal electoral districts, and payment of Members of Parliament. These changes had all been supported at one time or other by masses of the people, and the cry for them swelled by popular clamour. None of them were touched by the present Bill; and as democracy embodied the spirit of encroachment, and was never satisfied with what it obtained, no doubt, when this Bill was passed, there would be demanded a still further extension of those liberties which would be so widely extended by this measure. It was to be hoped that such demands would not be complied with. All that Parliament, however, could do was to effect such a settlement of the vexed question of Reform as might, perhaps, extend beyond the natural lives of most of those who were now discussing the question; and he believed that the present measure afforded reasonable grounds that such would be the case. The noble Earl did not attempt to put an end to the existence of the Bill; but he did worse, for he attempted at the outset to destroy its character; he proposed, in effect, that before they sent the Bill to a Committee, they should condemn it. It was to be regretted that he should have taken a line so contrary to Parliamentary usage, and one which he believed was so little likely to meet with the approval of the House. One of the commonest objections to this Bill was, that the country would be involved in great doubt and uncertainty after its passing. No one certainly could venture to calculate the ultimate results and effects of this Bill. The consideration, no doubt, was a very important one; but let them not give too much weight to it; for in how many other cases was it equally impossible to foresee the ultimate results beforehand? Take the case of an ordinary General Election. It had always proved impossible to speculate with accuracy on the character of the House of Commons about to be elected; and even in a single Election it frequently happened that nothing could be more uncertain than the result. Therefore, while it was perfectly true that ground for anxiety and apprehension as to the character of future Parliaments under this new franchise existed, the House must not be too much influenced by such fears; at the same time there were many circumstances in favour of the measure. The principle of the Bill was to remove the distinction introduced by the Reform Bill in its arbitrary qualifications of the right of voting—at the time very wisely as it was thought, but which since had grown out of favour. The condemnation now passed upon the Reform Bill of 1832 had not originated with the Conservative party. As long as the noble Earl opposite (Earl Russell) felt it his duty to resist encroachments and innovations upon that Bill, and to oppose the clamour for further extensions of the franchise, vote by ballot, and so forth, he might have depended on receiving the support of the party who now sat on the Ministerial Benches. It was, in his opinion, an unfortunate hour when the noble Earl gave way to the outcry raised against the Bill of 1832; for he believed that had he only continued true to his colours, as he did for many a long year, the Act of 1832 would have remained undisturbed, and the noble Earl, he believed, would have retained his place and power. The necessity for the measure now before the House had arisen partly from the weakness, partly from the ambition, and partly from the insincerity of former Governments. They had displayed all these bad qualities at different periods, and they were now paying the penalty of their own misdeeds. Insincerity was sometimes charged against the present Government; but it could never be forgotten that when Lord Palmerston's Government turned out its Conservative predecessor, because they had not produced a sufficient Reform Bill, and came in pledged to bring forward a wide measure of Reform, the question was allowed to slumber for six years during the administration of that popular and regretted statesman. Here was an instance of insincerity which the noble Earl and his Colleagues would find it hard to obliterate from public recollection. And now, after the last Government, elected with a preponderating majority of their own party, had proved unable to carry their Reform Bill, any material opposition to the present measure or any disparaging statements against the Government by whom the measure was introduced would come with a bad grace. Now, he had had the honour of representing in the other House of Parliament large and important constituencies (Northumberland, Durham, and the great town of Liverpool) important not only in respect of numbers, but in consequence of their manufactures, commerce, and agriculture, and he had, therefore, had an opportunity of making himself acquainted with the feelings of that lower stratum of the community to whom it was proposed to give a considerable extension of power. He believed that, at least upon all ordinary occasions in political life, these classes would give an intelligent and active support of the institutions of their country; and indeed he had little fear of the action of the suffrage portion of the Bill. He did not say it was other than a bold step; but he had long been of opinion that no settlement of this question would be complete or satisfactory unless its basis rested, as the basis of this Bill did, on household suffrage, and he believed that the provisions as to the personal payment of rates and residence afforded as much security as could well be obtained. The noble Earl (Earl Grey) who had addressed the House at considerable length, had gone into many different details on the subject of compound-householders, payment of rates, and other subjects; but he could not help thinking that the objections urged by the noble Earl were such as would more properly come for discussion when the changes to which they referred were debated in Committee, instead of at the second reading of the Bill. There were some matters which he must certainly confess he could not regard without very great uneasiness. He must admit that he feared the uncertainty and expenses of elections would be greatly increased by the extension of the franchise, and that the services of election agents would be more extensively employed than they were under the present system, and that the power of that class of persons would be very greatly increased. A still graver apprehension which he entertained was that there would be greater opportunity for bribery under the present Bill than even existed under the present law, because there would be a large extension of the franchise among persons in humble life, and who were, of course, open to the temptation of being influenced by pecuniary motives. He would only, however, express a hope that such apprehensions might not be well founded. He was also of opinion that the lodger franchise was fixed at too low a figure. But, whatever objections might be urged, he trusted that their Lordships would remember that the Bill had been accepted by the House of Commons, who had devoted to it an amount of industry, attention, and information such as had scarcely ever been bestowed upon any Bill, and that its third reading had passed unanimously. He trusted, therefore, that it would not be rejected by their Lordships, and that no very serious Amendment even would be proposed. Of course, it was possible for any noble Lord who was dissatisfied with the measure to move an Amendment to any clause to which he might object; but he felt assured that there was no necessity for any such Amendment as that proposed by the noble Earl, and he trusted, therefore, that it would not receive any favour at their Lordships' hands. For himself he had received at the hands of his fellow-citizens the greatest marks of confidence which could be offered to him. He now desired to reciprocate that confidence, and he should, therefore, for one give his most cordial support to the measure before their Lordships' House.

THE EARL OF MORLEY said, he was only induced to trouble their Lordships upon a subject of so much importance by his confidence in the indulgence which their Lordships always showed to the younger Members of the House. He was far from desiring to dwell upon the extraordinary history of the Bill to which their attention had been directed, nor did he care to examine into the arts and process by which the Bill had been moulded into its present form—a form so different from that in which it was first presented to the notice of the other House as almost to preclude the possibility of recognition. What was the principle on which the Bill was based? The much vaunted principle of the Bill was the personal payment of rates—a principle which he could not help thinking was adopted without sufficient consideration of the consequences which would attend its adoption, although it had been represented by the noble Earl (the Earl of Derby) in moving the second reading, as a barrier against democracy, and the test of the trustworthiness of those who were to be placed in the possession of so large a measure of power. He (the Earl of Morley) could hardly understand how this particular payment could have any such effect. The question of the compound-householder appeared to have presented itself to Her Majesty's Government at a very late hour, and even then they hardly appreciated the difficulty which it entailed. The consequence was that Her Majesty's Government was driven into a position which the House of Commons regarded as untenable. It was intended to give a vote to all householders; but those householders who resided in the parishes where the Small Tenements Act was in operation were unable to benefit by the intention of the Government unless they paid their full rates personally, and thus, as had been said, the rating franchise was in these cases accompanied with the condition of a fine. The Government deserted that position in a somewhat sudden manner. They cut the Gordian knot by abolishing the system of compounding altogether. Now, that system was, he believed, at once an advantageous and economic mode of collecting the rates in a parish. That it was so was, he thought, sufficiently proved by the fact that it was voluntary, and that it was adopted in three-fourths of the boroughs of England; in fifty-eight entirely, and in ninety-eight partially. But the Government resolved to repeal a most useful measure of taxation because they had adopted, he would venture to say, a wrong basis of representation. They, in fact, corrected an Imperial blunder by committing a parochial injustice. A right hon. Gentleman (Mr. Henley) in the other House of Parliament had decried the system of compounding in no very measured terms. He called it a device of Old Nick to oppress the poor.

THE EARL OF DERBY: He was referring to the Small Tenements Act. He said that was a device of Old Nick, to squeeze the rates out of the poor through the landlords.

THE EARL OF MORLEY: But then the Small Tenements Act was the Act that created the compound-householder, and the observation to which he alluded was no more than saying that the poor were oppressed if that were extracted indirectly from them which it was difficult to obtain directly. He should have been astonished, he must confess, if such an observation had come from one who was a democrat in politics, but coming, as it did, from a Member of the Conservative party, and from one who was looked upon as the representative of the country gentlemen of England, he looked upon it as furnishing one of the most extraordinary revelations of this extraordinary Session. If the doctrine were carried to its legitimate consequences it would amount to a denunciation of all indirect taxation, and to the establishment of what had been looked upon as one of the worst tendencies of democracy — the throwing of all taxation directly upon property. And what, he would ask, would be the result of a representation based upon the principle of rating? It seemed to him that the various parishes alive to the advantages of the present system of collecting their rates would commence to agitate, and perhaps at no very late date obtain a restoration of that system of collection, but with the proviso that the representative system should in consequence be in no way affected. Then the country would be landed in household suffrage pure and simple, and the last of the checks which had been devised would have melted away.

One of the most curious things connected with the Bill, however, was that it had been called a Conservative measure. The Bill which was last year introduced was one of a very moderate character, and would have admitted to the franchise between 300,000 and 400,000 of the working classes. The present measure would admit nearly double that number; and he was at a loss to understand on what ground it could be regarded as Conservative, unless upon the ground that by its means the lowest stratum of society would be arrived at, and that it could be manipulated by the aristocracy. That was a theory which, in his opinion, however, was fallacious, and he was sure it was immoral. It was fallacious, because, although under a despotic form of Government, and with a vast system of organization, the lowest class of citizens might possibly be manipulated, yet such was not likely, and he hoped never would be likely, to be the case in a free country such as England. The theory was immoral, he might add, because it proceeded upon the principle of giving the suffrage to a certain class, not because they were fit for it, but because they happened to be manageable. It was diving beneath what was termed the Prætorian Guard to a class which from its position, its poverty, and he was afraid he must say, its ignorance, was more under the dominion of the upper classes of society; and it certainly seemed to him to assume that while the intelligent artizan was presumably Liberal, the uneducated and less intelligent was, on the contrary, Conservative. Having said thus much with respect to the first part of the Bill, he wished to add a few words with regard to the re-distribution of seats. It appeared to him, he must confess, somewhat strange that the Government, after capitulating on point after point, should at last take their stand on a principle which he looked upon as less tenable almost than any other in the Bill—he meant the principle that no borough, however small it might be, should under any circumstances lose its representation. No one, he thought, could doubt that that principle must give way before a Parliament formed on the extended basis now proposed. That it would satisfy the country few of their Lordships could expect. Even at the first election about to take place during the discussion of the Bill—that for Birmingham—the gentleman who was standing in the Conservative interest admitted in his address that the scheme of re-distribution was, in his opinion, inadequate. That such was in reality the case might be seen from the fact that ten boroughs with a population under 5,000 each and an aggregate population under 40,000 were to return ten Members to Parliament or one Member for every 4,000 persons — a proportion about ten times as large as the average proportion throughout England. Under those circumstances to ask their Lordships to regard the Bill as a settlement of the question was, he thought, somewhat inconsistent, seeing that the second part of it was inconsistent with the first, and was such as must necessarily lead to further agitation. In the few remarks which he was desirous of adding, he hardly wished to taunt the Government with their changes of opinion on the subject of Reform. He should be wanting in the respect which he owed to the noble Earl opposite, and should transgress the limits of good taste, were he to take that course. He must at the same time, as a young Member of the House, say that he deemed it to be of the utmost importance that it should be known what the principles were on which the Leaders of the parties on each side of the House founded the policy for which they hoped to gain the allegiance and support of those who sat behind them. In saying that he did not for a moment mean to speak disrespectfully of noble Lords opposite; but events had occurred this year which might well perplex more experienced politicians than himself. A moderate measure of Reform was last year resisted on the ground that its tendency was too democratic, that it would have the effect of Americanizing our institutions, and disfranchising the present constituencies. What had since occurred? A measure of a considerably more extensive character had been introduced by a Conservative Government—a measure so extensive that not even the bitterest of their opponents dreamt that they would bring forward such a scheme. A noble Lord, who was a Member of the Cabinet in the present Government, speaking last year to his constituents, stated that an £8 franchise in boroughs and a £20 franchise in counties would have satisfied the Tory party. What was the cause of the change which had since taken place? He did not wish to be understoood as seeking to maintain that change of opinion was always wrong, or that consistency in politics must always be observed; but he must say that when men in high and influential positions, to whose speeches men like himself on their entrance into public life looked for guidance and instruction, changed their opinions suddenly, it was but right that the reasons for that change should be made known. He had heard no such explanation in the present instance. He was not aware that the question of Reform had passed through any new phases since last year which could account for a change so sudden and so unexpected as that to which he was referring. The Government was taking a very grave step, and, more than that, a step which was irrevocable. It was easy to give, but impossible to take away. In speaking thus he did not wish to be understood as sharing the least in those gloomy prognostications about the future constituency in which some had indulged, at the same time, everybody must look forward with anxiety to the operation of what he might call an experimental policy. That the extension of the suffrage was demanded on grounds of justice and expediency, he believed, few would doubt. The subject, however, was one which might be dealt with in two ways. There was, in the first place, the policy of aiming at the progressive amelioration of the working classes and the concurrent extension of the franchise. Another, and a very different policy, was that of repressing the wishes of the people up to a certain point, and then bringing forward a measure of Reform so extreme as almost to wear an aspect of danger. For his own part he must own that he preferred the former policy; but he had no fears, at the same time, as to the results of the present Bill, because he had confidence in the stability of our Constitution and in the good sense of the English people. He feared that he had trespassed unduly on their Lordships' time, and he thanked them very sincerely for the indulgence they had shown him; and if he had fallen into errors, either of bad taste or want of judgment, he trusted their Lordships would attribute it to his inexperience.

VISCOUNT STRATFORD DE REDCLIFFE said, that, although he rose after the interesting remarks of his noble Friend who had just spoken (the Earl of Morley), it was not his intention to follow him into a discussion of the details or the merits of that Bill which had given rise to the present question. If he should think it desirable to enter into such a discussion, he would address their Lordships at a later stage of the pending measure. But he rose at that moment to explain the motives of the vote which he meant to give in opposition to the Resolution proposed by the noble Earl (Earl Grey). That Resolution, as he conceived, was one which, whatever might be the truth of the sentiments it expressed, had little or nothing appropriate to that period of the discussion. It was one, moreover, which contained within itself strong elements of dissension with the other branch of the Legislature, and which might be followed by serious and most inconvenient effects. It further appeared to him that the Resolution was not supported by any such necessity as would warrant the departure from ordinary usage which it involved; nor could he say that it was called for by any practical purpose whatever. He might add that, it contained within itself a contradiction, which had already been remarked upon, and the criticism upon which appeared to him to be perfectly well founded. They were told that the Bill was not calculated to promote the good government of the country or to produce any permanent settlement of the question of Reform. He could hardly imagine more forcible terms of condemnation than these; and if the Bill was really one of that character, he should say it became the positive, bounden duty of the House, in the exercise of its legislative rights, to reject it. He confessed, therefore, that, while giving his noble Friend (Earl Grey) the fullest credit for his intentions, and even partaking to a considerable degree in the sentiments he had expressed, he could not but look upon his Resolution at that moment as unnecessary, and highly compromising to the House. Those sentiments might very well come from the mouth of an individual Member; but their Lordships were asked to express them by a formal Resolution, and as the joint and solemn opinion of their House. They had been told from the other side of the House that to pass a Bill of some kind on this subject, had become an absolute necessity; he did not dispute the truth of this assertion. In the other House of Parliament the compound-householder had been disposed of; but there was a compound necessity which made it indispensable that a Bill should pass. First, there was the natural necessity arising from the gradual development of events which no sound Statesman could leave out of the account. It was, if they pleased, a dark shadow upon the horizon; but reflecting people had seen it coming on for years with gigantic steps, and its claims could not be for ever shut out. But there was also an artificial necessity, which had acquired well nigh the force of a reality, and which had now combined with the natural one, to force, he might say, the hands of Parliament. If they asked whence arose this necessity he would affirm without hesitation that it was clearly traceable to the conduct of both those political parties, which in turn had exercised so great an influence over the progress of this all-important measure. He could not deny that he sympathized largely with those who called in question the conduct of both sides in this matter. No doubt, the Leaders of those parties had acted with honest purposes in their minds—no doubt, they had proceeded under the impression that they were performing a great duty; but he must say the result of their action had been to produce a very unfortunate position of affairs. The noble Earl who had proposed the Resolution now before the House, had remarked, with perfect truth, that the character of that Bill, and the delicate circumstances in which they were now placed, required the gravest consideration; but surely the proper time for considering and amending the provisions of the Bill would be when they arrived at the stage of Committee. Their Lordships could not hope altogether to set aside the principle of household suffrage; but if there was danger connected with its adoption, they might, when in Committee, endeavour to modify its clauses, and even to introduce additional and more effective safeguards. Such a course would, he believed, be most accordant with the practice and usage of Parliament. For these reasons, if his noble Friend pressed his Resolution to a division, he should feel it his duty to record a negative vote—reserving, however, to himself the right of giving effect, as far as his individual vote might go, to any proposition of an acceptable nature which might be brought forward in Committee.

THE DUKE OF RUTLAND said, he felt great difficulty in giving a vote on that occasion, and could not say that he could give his cordial support to the Bill which had been sent up from the other House of Parliament. In addressing himself to that question he felt that their Lordships' House was placed in a position of great difficulty. It was most difficult for any one of their Lordships to discuss an important measure of this nature originating in, and passed by, the other House of

Parliament, for if they attempted, as his noble Friend opposite (Earl Grey) who moved the Amendment had done, to discuss it before the Bill reached that House, they were told that it was an inconvenient course, and that it was most undesirable that any discussion should take place; but, on the other hand, if they waited till the measure came up to them from the other House, and if they thought the measure dangerous and one which they ought to reject, then they were told that it was a Bill which had been sent up to them by the House of Commons, and surely they would not fly in the face of the House of Commons and reject it? Between these two objections, it was not very easy for them to discuss fully and fairly a question of such vital importance to the country as that now before them. He would venture to observe, however, in the first place, that he did not think the Bill had been introduced at a time or in a manner which he could approve. He did not think it was a good time to introduce a Reform Bill. Doubtless, there had been great agitation going on in the country; but it was not a real *bonâ fide* agitation of the working classes, but of paid agitators, who had got it up for a particular purpose. It was not a good time to introduce a Reform Bill when a Royal Commission had just been appointed to inquire into the nature of trades unions, and when such deplorable revelations were taking place day by day, and he thought it would have been better to have waited until that inquiry was concluded before passing any Bill like the present. Moreover, he did not think that the state of education in this country was sufficiently advanced, either in the agricultural districts or in the large towns, to enable the Government safely to propose so large a measure as that of household suffrage — well, he knew it was useless now to discuss that question—assuming, however, that it was right — which he doubted—to bring in the Bill, and assuming also that it was the duty of his noble Friend at the head of the Government—which he again doubted—to be the person to bring it in, he must then consider the measure as it had been sent up to their Lordships' House. He agreed with the noble Earl (the Earl of Derby) that if the £10 line were given up there was no safe or permanent resting-place short of household suffrage. The Bill, however, which had been sent up to them was a totally different Bill from that which was first introduced into the House of Commons. One by one every safeguard—the dual vote, voting-papers, and two years' residence—had been thrown overboard, and the Bill was now a pure and simple proposition for household suffrage, clothed only in slight garments of the payment of rates and a year's residence. He hoped their Lordships would send it back to the other House more decently attired. He could not, however, vote for the Resolution of the noble Earl opposite, although he thought there was some force in its arguments. He thought the object in view would be better gained by amending the Bill in Committee. The Constitution, as settled by the Reform Bill of 1832, had suffered shipwreck, and gone down with her colours flying and all hands on the quarter deck. Another city, like that of ancient Troy, had fallen, and by similar means—

> "Talibus insidiis, perjurique arte Sinonis,
> Credita res; captique dolis, lacrymisque coacti,
> Quos neque Tydides, nec Larissæus Achilles,
> Non anni domuere decem, non mille carinæ."

He wished he could look forward with any degree of confidence to the future welfare of the country after the passing of the Bill; but though no less eminent a man than Mr. Bright, in passing a panegyric on the Bill, had expressed a hope that the walls of the House of Commons would never contain a less worthy assembly than they did at present, he could not but remember that the same speaker declared at Glasgow last October, that by placing a clerk at Temple Bar and by letting him catch every decently dressed man who happened to pass, 658 better Members would be obtained, and men who would pass juster laws than the present House. That did not give him much hope. He trusted, however, that, as they were able to look back upon the past history of this country with pride, they might look forward to the future with hope. He trusted that the Bill might be so amended in Committee as to render it a safer and a better measure, and that the greatness and glory of the country would be handed down undiminished to a remote posterity.

THE EARL OF CAMPERDOWN said, that no satisfactory reason had been given for the introduction of so sweeping a measure, and there were, he thought, many reasons why it should not have been introduced at all. He had listened to two long speeches that night, but he had heard nothing to account for the course that had been taken. They were told, he believed, last July, that probably no Reform Bill would be brought in; and it was certainly astonishing to find that the very party which last Session denounced a £7 franchise as subversive of everything in our institutions that we held most dear, and destructive of the balance of political power now came forward and proposed a measure of household suffrage. He did not wish to say anything against household suffrage, and he had no desire to taunt Her Majesty's Ministers with their change of opinion; but he should like to ask what had occurred since 1866—what change had come over the spirit of their political dream—that whereas last year a £7 Bill was destructive of everything they held most dear, household suffrage was at present a Conservative measure, and not only a Conservative measure but a Conservative triumph? It had been argued, indeed, that the Bill of 1866 was founded upon no principle—that it was founded upon a "hard and fast line," and that there was no reason why they should fix upon £7 more than upon £6, or £5, or £4; whereas the present Bill had the great merit of being founded upon an intelligible principle—the principle that the discharge of public duties should accompany the right of voting. But if the great virtue of a man was that he personally paid rates, how was it that in that measure they found a lodger franchise? But what public duty did a lodger perform? It was strange that the Government, beginning with the "Ten Minutes Bill" and a £6 rating franchise, should have drifted into household suffrage. This was not a result they could have originally contemplated, or so prudent a Minister as Lord Stanley would not have stated that it was a great mistake to suppose that it was the intention of the Government to bring in a Bill in accordance with the views so ably and consistently advocated by the hon. Member for Birmingham (Mr. Bright). But was not this Bill the very embodiment of the views of the hon. Member for Birmingham? When originally introduced the Bill was clothed with a multitude of "securities." What the fate of those securities had been they all knew well. A prominent Member of the party opposite had said, "A security as a security is of no use whatever. If it is right in itself it may be retained; but as a security it is of no avail." What had become of the dual voting? It was dead. Where were the voting papers? They were dead. Where were the fancy franchises? They were put to death by the very person who introduced them. And what Member of their Lordships' House was bold enough to guarantee the existence of this first of all securities, the personal payment of rates? Was it probable that the man who was fined for his vote, that the landlord who lost the advantages of composition, least of all that the vestries, whose trouble and inconvenience would be greatly increased, would allow this scruple of the Government to weigh for any time against their own interests? And how long would the Govern- allow their own scruples to weigh with themselves? When this Session was finished the personal payment of rates would have had its day—it would have discharged the purpose for which it had been brought so prominently forward; and was it likely that Ministers in future Sessions would attach any extraordinary value to a provision which had now been a most useful stalking horse? They would see the compound-householder rise again like a new Phœnix from his ashes; but he would have his vote, his landlord would pay his rates, and the compound-householder himself would return Members to Parliament. Turning now to the Amendment before the House, he begged to say that in the general tenour of the Resolution he entirely concurred, as he believed did most of their Lordships, as well as a great proportion of the other House and of the people out of doors. No one thought that the way in which the Bill had been carried through the other House was satisfactory. No one believed that the Bill was final—for it was on the very face of it that probably next year, but, if not, within a very short period, there must be a new redistribution of seats. He would ask the noble Earl (Earl Grey), however, to consider whether if he pressed the Resolution to a division any greater blow could be inflicted upon the Liberal party? It might and no doubt would be said that when household suffrage had been brought forward by a Conservative Government—household suffrage which for many years had been the special object of their political hatred—that the Liberal party opposed it because they had no confidence in the patriotism and the great moderation which the people of this country had so fortunately for themselves brought to bear on political questions—that they were afraid of household suffrage and distrusted the people more than did a Conservative Government. He did not mind declaring that the Bill of 1866 was preferable to the present Bill. How many of their Lordships, how many of its opponents in the other House, how many in the country would not give anything to bring it back? But now that household suffrage had been accepted—and he must say unanimously accepted—on the third reading by the other House of Parliament, the Liberal party in that House could not wish to reject the Bill on its merits. It was not because they feared household suffrage that they regretted the Bill of 1866, but because they wished to have proceeded in the old tracks of the Constitution. They would rather do by two steps, or even three, what they were now asked to do by one. It was the most gigantic experiment ever proposed by any Government. They did not shrink from it, however, on that account. Looking back to the happy past, they looked forward with confidence to a happy and glorious future.

The Earl of CARNARVON: My Lords, it is difficult for any of us to give to the measure now before the House—a measure so profoundly affecting the public interests as this — a dispassionate consideration; it is peculiarly difficult for one so closely connected as I am with its antecedents. I am not sure that the best mode of forming a correct judgment is not to throw one's mind back to the state of affairs such as it was rather more than twelve months since. At that time it will be remembered that my noble Friends who now occupy the Treasury Bench sat on the other side of the House; whilst, on the other hand, noble Lords opposite and right hon. Gentlemen in "another place" directed the Administration of the country. It will be in the recollection of every one that they introduced a Bill for the Improvement of the Representation of the People in Parliament. Nor will it be disputed that that measure was met by great opposition from both sides of the Speaker's Chair, but certainly from the Conservative side. Now, my Lords, I think I am within the strict limits of fact if I say that the main burden of all objections to that measure resolved itself into two points—first of all, the defective information upon which Parliament was asked to legislate with regard to so important a question; and, secondly, the tendency of that measure "to swamp," as it was called, by the numerical preponderance of the artizan classes, the industry and intelligence of the rest of the community. Now, I ask at the outset how we stand at present with regard to these two arguments. If the information last year upon the large measure then introduced was defective, the information upon which we are now asked to legislate upon a much larger measure is absolutely none at at all. Take, for instance, the lodger franchise, to which allusion has been so frequently made to-night. My Lords, we have had to guess, for neither facts nor figures have been supplied to us, as to the number of individuals to be enfranchised under it—it may be 100,000, it may be 500,000—I have myself heard both estimates formed, and upon very plausible calculations; but whether it be the one or the other it is absolutely impossible to say. It is a leap in the dark, whether it turn out right or wrong. But if we are in doubt as to the information upon which we are proceeding, there is no doubt whatever as to the tendency—I will not say "tendency" I will say the certain result—of the Bill "to swamp," as my noble Friends on the Treasury Bench would call it—for the word was often in their mouths last year—property and education by the vast numerical preponderance of the artizan classes. One person may hold that this is good, another that it is evil; but the fact remains absolutely past controversy — that if they ever should come to a division property and education will be numerically and hopelessly outnumbered. Now, the borough franchise, which, as my noble Friend at the head of the Government tells us is the main feature of this Bill, has two capital characteristics: each of which, I think, bad, but both combined seem to me very formidable—first, that the borough franchise is very low; secondly, that it is absolutely uniform. It is low to a degree; lower—I speak under correction —even than the suffrage proposed by Mr. Bright eight or nine years ago. Certainly, on Mr. Bright's own showing, it is lower than the electoral franchise in the United States. It is again, with one exception I believe, lower than the electoral suffrage in any one of the British colonies. Of course, as any child can see, the result of such a lowering of the franchise is to disfranchise property and intelligence in two ways. It disfranchises, first and directly by the swamping process; it disfranchises, secondly and indirectly, but as surely, because we know from certain experience that when you carry the franchise down beyond a certain limit you cannot induce the richer and more educated classes to take part in the elections. You may regret this; you may say it is a sign of moral degeneracy; but the fact remains beyond question, and woe to you as Statesmen if you, in your legislation, deliberately shut your eyes to the fact. It is not that I object to the franchise merely because it is low; I have never personally felt indisposed to a considerable lowering of the franchise, because in my opinion the working classes have not that distinct voice in the representation of the country which, I think, it would be better on the whole for the country that they should have. Looking to all the circumstances of the present time, I even think the absence of that distinct representation to be an evil, and I prefer, in order to obtain a representation of the whole nation, that they should have a distinct voice. But there is obviously a difference between this and the general abasement of the suffrage in all the boroughs of England, without reference to population, character, or local circumstances. I object, therefore, to that uniformity, and I object to it not merely because it strips the public life of England of all that variety and richness which, as I conceive, have been its glory for generations past, but because it seems to me to be eminently dangerous. My Lords, remember that henceforward in every one of these borough constituencies, the tendency of which will be to swell into larger and larger dimensions, their character will grow identical. Imagine the broad, sensitive surface of public opinion in these boroughs, connected as it is and will be by all the varied influences of the time in which we live—postal communication, telegraphs, railways—conceive that broad, sensitive surface vibrating at every single touch of strong, passionate feeling which may sweep over the country. In fair weather, indeed, it will be all plain sailing; but, after all, we think it only reasonable that Reform Bills should be constructed not for fair weather but for foul. Critical times will come, difficult questions will arise—questions such as stir men's minds to their lowest depths; questions which lay hold of the imagination; questions such as we have ourselves seen during the last seven or eight years—wars on behalf of oppressed nationalities, like Poland or Italy, or on behalf of some popular leader like Garibaldi; and is it conceivable that any mere prudential and politic considerations will be able to withstand the tremendous volume of combined opinion which will then arise from, and re-act upon, these centres of thought and feeling? It has been repeatedly said that the wars in which this country has been engaged during the last century were due to our aristocratic Government. I do not believe that an aristocratic Government is usually very warlike. It is rather a democratic Government that is disposed to war. An aristocratic Government is generally cautious, just as a middle-class Government is generally very timid. It is therefore but too probable that this change in your electoral system will give rise to the most violent oscillations in your foreign policy, and may possibly lead you into difficulties and even into wars lightly undertaken, perhaps to be lightly abandoned. These are some of the dangers which may result in our foreign policy. But when the principle of numbers is combined with uniformity, the danger at home is hardly less. I do not wish to speculate upon any of the delicate subjects of legislation that may hereafter arise—such as the rights of labour, the incidence of taxation, or the relations of the employers with the employed. I will not even go so far as to say that the class into whose sole hands you are giving the sovereignty of the country is necessarily unfit to exercise the franchise. But I say, not on my own authority, but on the authority of noble Lords and right hon. Gentlemen now forming Her Majesty's Government, that the transfer of power into the hands of any one class in the community—no matter what class—is injurious to the public weal. I remember well a speech delivered last year in "another place" by a noble Friend of mine whom now I see on the Woolsack (Lord Lytton) a speech which all those who heard it will doubtless also remember. My noble Friend whose presence in this House is one of its most recent but one of its chiefest ornaments, said, as I think with unanswerable truth, "Place power in the hands of any single class, and what must be the result? Give a majority to the clergy, to the agriculturists, to the manufacturers, and immediately, respectable as those classes may be, your legislation will at once become unduly clerical, or agricultural, or manufacturing." It must be so. It is merely human nature. But then we are told to hope—and I must say that the hope seems somewhat a selfish one—that the social habits of this country will enable us to tide over for our time, at least, the period of difficulty which may be coming, and that the traditional influences of the past will counterbalance the facts which we are building up under this Bill. My Lords, I believe tradition in this country to be a very great force—in no country probably more so; but, at the same time, tradition and traditional influences are a very feeble barrier against an absolute transfer of power from one class of the community to another. When once you have transferred the whole power of the State into the hands of another class—when you have gone further and made the House of Commons accessible only to rich men or to demagogues—when you have made it irksome to men of cultivation and refinement, and odious to men of conscience and principle — you will find that your educated classes will first feel themselves powerless, and then, before long, will become silent. But, again, you put your trust in another security; you trust in the great force of wealth. Now, I tell you I have no faith in wealth: I never heard of wealth saving a State; I believe, on the contrary, it will fail you at the critical pinch. I admit it is quite true that you will have rich men returned to the House of Commons. But how returned? That is the question to answer. They will be returned committed to further and deeper pledges of democratic extension. They will not be less the delegates of the popular will because they are millionaires. But suppose that men are returned with Conservative and Constitutional principles on their lips, does anybody believe they will remain unaffected by the strong tendencies of the great boroughs they will represent? But take even a more favourable view still. Suppose the very same men are returned that now sit in the House of Commons. I still contend that their course of conduct must be different, because, though they may sit for the same seats, they will be returned by constituencies of a very different nature. There will, as I think was once said, be all the difference between these men, now and then, that exists between an actor who speaks to the boxes and an actor who speaks to the gallery. My noble Friend at the head of Her Majesty's Government alluded to another security on which we might rely—the personal payment of rates. I might be spared from saying anything on this point after the admirable remarks of my noble Friend opposite (Earl Grey). With my noble Friend, I say that the personal payment of rates is not "the" principle of the Bill; it is only one principle. I quite admit that it is a very good principle as far as it goes; but as long as you have the lodger franchise resting upon a "hard and fast"—and, allow me to say, a very precarious—line of £10 rental, it is idle to say that the personal payment of rates is the principle of the Bill. It is a principle, but only one of several. Again, I am at a loss to understand how this personal payment of rates can contribute to the knowledge or fitness of the new voters. It is the first time I ever heard that ratepaying was favourable to the moral character of an individual. Why, the fact is, as we all know, it is purely a local arrangement. One local authority will assess at one figure and another at another. What moral principle is there involved in making one man pay *5s.* and another *10s.* in order to obtain a vote? In old times the old scot and lot voters were payers of rates; yet I believe that the purity of the scot and lot voters was not always so immaculate as might be inferred if such arguments were to be accepted. There is one more point on which we are sometimes told, if not to rely, at least to lay aside all apprehension. My noble Friend (the Earl of Derby) dwelt upon it in introducing this Bill — I mean the county franchise. I know very well there is a general opinion that the county franchise as laid down in this Bill will lead to no great disturbance of the existing balance of power in the counties. It may perhaps, be so. In the agricultural counties I am prepared to admit that probably there will be no change—parties will there perhaps, remain divided pretty much as they are; but in the urban and manufacturing counties, where you have scores of manufacturing towns, containing 5,000, 8,000, 10,000, or 12,000 people, none of which are to receive under this Bill, direct representation — in those counties there will be bodies of new voters under this £12 county rating franchise, who will certainly have quite as much effect on the county representation—if not more—than the famous *40s.* freeholder ever had. I do not say whether this change in the counties will be for good or for evil. The whole of this Bill is so purely conjectural that it is impossible to speak of it with anything like certainty. But the probability is that a great disturbance in the county representation will take place, and it is well that noble Lords on this side of the House, who have felt and expressed themselves strongly on the subject in former years, should consider the point; and I say this not merely on my own authority, but on an authority which I suppose both sides of the House, will receive as unimpeachable—that of the Member for Westminster, Mr. Mill. The noble Duke on the Treasury Bench seems exceedingly amused that I should quote anything from Mr. Mill. If the noble Duke will listen to what I will read, he will see that it applies directly to the point at issue. What does Mr. Mill say?—

> "If every elector in the disfranchised boroughs and every £10 householder in the unrepresented towns obtains a vote for the county, these objections will give place to a still more fatal one; for such a measure would be little less than the complete political extinction of the rural districts. Except in the few places where there is still a yeomanry, there exists in the agricultural population no class but the farmers intermediate between the landlords and the labourers. A £10 franchise will admit no agricultural labourer; and the farmers and landlords would collectively be far outnumbered by the £10 householders of all the small towns in England."

Now, my Lords, that is Mr. Mill's testimony on this point; and I could quote, but that I fear it would weary the House, another testimony which would be received certainly with approval on this side of the House, that of Mr. Baxter, who has written a good deal on the subject, and whose pamphlets have been frequently quoted during the Reform discussions in Parliament. He gives a list of urban and agricultural counties, in which he points out that, on the same principle Mr. Mill has described, while a £10 franchise would give an increase of about 50 per cent in the agricultural counties, in the urban counties it would yield an increase at the rate of two and a half to one. It is idle in a case like this to quarrel as to words. Reform is a correction of abuses; but a wholesale transfer of power from one class to another is a revolution, and this measure to which we are asked to give a second reading is, I believe, nothing short of a revolution. I know no single instance of any one Bill in modern times passed through any Legislative Chamber which has involved such enormous and abrupt changes, such an absolute break with the past history of a country as this Bill does. The only approach to it is that famous night in French history when, at a single sitting, the whole of the legislation and government and traditions of France were swept away. I fully admit there is a vast difference between the two cases; that this is a perfectly bloodless revolution; that this is a revolution effected without passion, without pressure, without enthusiasm. My noble Friend at the head of the Government says that the Bill passed the House of Commons unanimously. I must, on the other hand, take the liberty of saying that it is a measure passed without the cordial approval of any one class, or, except the Treasury Bench, of almost any one single individual on either side of the House. I agree with what I understood my noble Friend who moved the Amendment (Earl Grey) to say, when he remarked that much of all this is due to the action of different parties and classes in this country. My Lords, for thirty-five years the middle class of this country have had the chief power in it; for thirty-five years they have used it, and they have prized it. But now, at the very first summons, they have capitulated and they have surrendered, without raising, I may say, one little finger in self defence. On the other hand, a certain section of the Liberal party have always found this weapon of Reform a very convenient weapon of Parliamentary warfare. They have used it, they have invoked it, their invocation has been heard—

"Vota exaudita malignis
"Numinibus"—

and their prayer has been granted to them in fuller proportion than they desired. But, my Lords, while the middle class have thus yielded Reform unwillingly, and whilst a certain portion of the Liberal party have encouraged it, Conservative leaders at least have denounced in constitutional language the dangerous and fatal doctrine that there should be a wholesale transfer of power to any one political class, and that property and education should be absolutely swamped by numbers. They denounced it in the name of the Crown, the Church, the House of Lords, of every great institution with which the public life of this country has been bound up. But now we are told on very eminent authority in the House of Commons that the Crown, the Church, and the House of Lords never were safer than now; that democracy in England is a bugbear and an impossibility, and that household suffrage has always been the esoteric doctrine of the Conservative party, and the secret faith of Conservative Cabinets. My Lords, whatever others may say or do, though I stand alone a mere unit,' I repudiate and I protest against this statement. I protest against it not only as being inconsistent with fact, but as being a gross and palpable insult to my understanding. My Lords, I am not a convert to this new faith, and I will not stultify, by any act or word of mine my own course of action: I will not stultify the very existence of the Conservative party. For, if this indeed were so, if household suffrage really be the secret faith of Conservative Cabinets and of the Conservative party, and has been for years past—if during the time we have been opposing successive Reform Bills as they were introduced, if whilst last year we denounced a £7 rental franchise as leading directly and immediately to revolution, we all the while cherished the hope of a uniform household suffrage—why, my Lords, I would heap ashes on my head, and would acknowledge with all humility, but yet with all sincerity, that the whole life of the great party to which I thought I had the honour to belong was nothing but an organized hypocrisy. My Lords, it would be far better, because it would be consistent with facts, to admit at once that there has been a change of opinion. We are sometimes told that all things are allowable in love and in war; better say at once that all things are allowable in politics, and do not scan motives too closely. My noble Friend at the head of the Government is, no doubt, familiar with the lines—

> "Mutemus clypeos, Danaumque insignia nobis
> Aptemus: dolus, an virtus, quis in hoste
> requirat?"

It would be far better, I believe, to admit that change. Changes in politics as in everything else there must be. God forbid that I should preclude any public man from a change of opinion, if he believes it to be right. God forbid we should lay down such a doctrine. But I say this—that the character of public men is not private property, and when these great, violent, and abrupt changes are made, it would be well that, as in the case of the late Sir Robert Peel, they were marked by some evidence of personal self-sacrifice, some unquestionable proof of disinterestedness and sincerity of motive. My Lords, dangerous as I believe this measure to be, I believe the mode in which it has been brought through Parliament is more dangerous—far more full of evil augury for the future. My Lords, where are all the securities, where are all the principles, where are all the asseverations of Cabinet Ministers so freely made at the commencement of the Session? They have gone—they have disappeared. I wish very much they had gone to the land where all things are forgotten. I fear they will be long remembered and cited by those who are less friendly to my noble Friend than I am. They will be cited henceforth as monuments either of weakness or of dishonesty. I ask the House to consider for one moment what are the different steps by which we have arrived at our present position. At the beginning of the Session, in the speech which Her Majesty was advised to deliver, we were distinctly told that the balance of power should not be unduly disturbed. I will not stay to consider how far that pledge has been observed. I pass over that. But we started in this question with Resolutions which, as the noble Earl at the head of the Government said, were tentative. We know the fate of those Resolutions. We started with the plural vote; the plural vote fell. [A noble LORD: The dual vote.] I beg pardon; in the Resolutions the word used was "plural"—the plural vote fell; it was exchanged for the dual vote; and that suffered the same fate and passed away. But then the two years' residence was a security; the two years became one year. The county franchise was £15; it sunk to £12. The educational franchises remained—those franchises, which a short time ago were to give lateral along with vertical extension, and which we were told to regard as the salvation of the Constitution, have disappeared. The voting papers have dropped out. These securities, as I stated when I was unfortunately obliged to leave the Cabinet, I believed to be illusory; but even I never imagined they could have faded away so rapidly and entirely as they have done. Now, look at the different changes which have been made by this Bill as it comes to us from the House of Commons. We have already converted a £10 rental into household suffrage, limited by residence indeed, and further by this, that those who are unable from poverty to pay rates are excluded from the franchise. We have converted a £50 occupation county franchise into a £12 rating franchise. The House of Commons have added the lodger franchise on a "hard and fast line," which, if it ever breaks down, will land us at once in manhood suffrage. We have destroyed the compounding system, and with the destruction of that system we have dislocated the financial arrangements of many of the largest towns in the kingdom. We have adopted a system of re-distribution which settles nothing and unsettles everything; and which, it seems to me, very conveniently leaves open the door to equal electoral districts at no very distant time. We have doubled—aye, and a great deal more than doubled, the total number of the constituencies; besides which we have added all those who will come in, whatever their number may be, under the lodger franchise. Indeed, through the whole course of the proceedings in the House of Commons, every Amendment which was in the broad sense of the words Conservative and Constitutional, has been rejected, while every Amendment which was democratic and antagonistic to the ancient constitution of this country has been accepted; and, to crown it all, the measure has been sent up to this House by the House of Commons with a speed and an absence of discussion which would be remarkable even in a measure of minor legislation. My noble Friend at the head of Her Majesty's Government, in dealing with this question, seems to congratulate himself that all this was the work of the House of Commons. My Lords, I fairly own I am puzzled to say whether it be the work of the House of Commons, or the work of the Government, or the work only of a part of the Government. Take, for instance, the lodger franchise. If I am not mistaken, my right hon. Friend Mr. Gathorne Hardy, the Home Secretary, and Sir John Rolt, lately Attorney General, both spoke strongly against the principle of the lodger franchise; but the right hon. Gentleman the Chancellor of the Exchequer, when the proper time had come, dissipated all their objections, and not only cordially accepted the lodger franchise, but declared that he himself was the father and the author of it. Look again at the course adopted with regard to the household-compounder. Under the first proposals of the Bill, Her Majesty's Government retained the compounding system; but an Amendment was moved, and subsequently carried, after passing through various stages, for its abolition. The Chancellor of the Exchequer at once rose and said that nothing had ever been nearer his heart than the destruction of this compound householder system. Then, my Lords, it was proposed to give a third Member to six of the large towns. But this was objected to by the Chancellor of the Exchequer as being not only dangerous to the Bill, but dangerous to the first principles of the Constitution. The opposition of the Chancellor of the Exchequer prevailed; but the proposal was renewed shortly afterwards, and it was then proposed to give a third Member to three of the large towns. And what was done? My right hon. Friend Mr. Adderley, than whom there is no more straightforward and conscientious Member of the House of Commons, speaking on behalf of the Government, objected to this as being fatal to all the principles both of the Bill and of the Constitution. But before long the Chancellor of the Exchequer again rose. He not only disposed of Mr. Adderley's argument; he not only accepted the third Member for the three towns, but he voluntarily threw in a fourth town, into the bargain. Now, my Lords, all this places us in a very painful position, and it is well that we, especially those who sit on this side of the House, should consider the position in which we are now placed. To me it appears that we have slid down through broken securities, through specious principles, through Ministerial inconsistencies, into which I must venture to term an abandonment of all principles, a total confusion, and demoralization of all parties. Now I do protest against this most earnestly. If henceforward this is to be the rule of action, if henceforward there is to be a race and a competition between the two great political parties in the country to see which can outbid the other, it is clear that the Constitution of the country, or what remains of it, cannot survive even for a few Sessions. My noble Friend speaks of this as if it were a settlement of the question. I wish I could feel any such confidence from the manner in which the Bill has passed the House of Commons. We have a scheme of re-distribution of seats which is evidently incommensurate with the gigantic proportions of the new franchise. The small boroughs are doomed unless they develope some new and unexpected Parliamentary excellences. Indeed, the Chancellor of the Exchequer himself has stimulated the demand for representation on behalf of the large towns by first offering that representation and then withdrawing it. I even doubt whether the much-vaunted household suffrage itself is secure when in the same Bill you have a lodger franchise resting on a £10 rental and a county franchise resting on the "hard and fast" line of £12. But the misfortune of all these changes is that the evils are not confined to the present measure:—they have a tendency to produce further changes, and he must be very blind indeed who does not even now see that the result of the present measure—the passion for change, whether in things necessary, or unnecessary, which is growing up. The foundations of political faith are broken up. Notions which even a few months ago would have been inconceivable are now the subject of open debate. There is nothing so steadfast, nothing so sure in the Constitution that it is not already a matter of question. My Lords, this is a very dangerous temper. It is a temper which before now has been the precursor of revolution, and those who mark the signs of the times at home, and who, casting their eyes abroad, see the great tempests which, of late years, have swept over the face of the civilized world, and notice the powerful agencies at work, may well look with anxiety at the dark and unknown country upon which Her Majesty's Ministers invite us to enter. You are hazarding a great experiment—an experiment on a country with old traditions, and an area of soil alike limited and coveted—on a country whose trade is sensitive, and whose commerce rests on the precarious footing of credit. Even if success were to crown your work, you would not be justified in it. The mere fact that you are making such an experiment under such circumstances is its own condemnation. It is very painful for me to have to speak in these terms of a measure introduced by those with whom I have for many years acted in relations of political and personal friendship; still, there are times when personal feelings and private affections are but as dust in the balance, and when even the displeasure of personal and political friends must be cheerfully accepted. I have spoken to-night freely, and it may, perhaps, be thought by some, bitterly; but there has not, in fact, been any personal bitterness in what I have said. Had I indeed wished to speak bitterly I could have easily done so. I need only have gone back to those famous speeches of 1846 and 1847, in which the right hon. Gentleman now Chancellor of the Exchequer made the iron of his sarcasm to enter into the soul of one who, whatever the shortcomings of his policy, was, I believe, a high-minded and disinterested English Statesman. The best proof I can give that I feel no personal bitterness in this matter is that I earnestly entreat my noble Friend who brought forward the Resolution this evening not to press it to a division. I think my noble Friend may at the end of this debate be satisfied with what has passed. He will gain nothing by pressing his Resolution to a division. But there will come a time for Amendments in Committee, and I am sure that we shall enter upon the consideration of those Amendments in a better and a higher spirit if the subject is lifted altogether above party prejudice and party passion; if we are to save the one side from receiving and the other side from imposing a party humiliation.

EARL BEAUCHAMP desired, as one who was unconnected with the Government, to tender his cordial thanks to the Government for having brought forward this great and important measure of Reform. He would not delay their Lordships by discussing how much or how little bitterness the noble Earl who had just sat down (the Earl of Carnarvon) had imported into his speech. The noble Earl, in the course of his speech, said, that all things were allowable in politics. [" Oh, oh!"]

THE EARL OF CARNARVON: I beg my noble Friend's pardon — I implied exactly the reverse.

EARL BEAUCHAMP was sorry to have misunderstood the noble Earl, but he did not perceive at the time that he was speaking ironically; but still the noble Earl had used a licence which had given him the greatest pain. When the noble Earl questioned, with so much severity, the conduct of the Government, he must have forgotten that at the commencement of the Session he was himself a Member of the Ministry who put into the mouth of Her Majesty a recommendation to her Parliament to deal with this question, and without unduly disturbing the balance of power, freely to extend the franchise. After that recommendation the whole question became one of degree; and the speech of the noble Earl, which was in the "No surrender" tone that would have suited Lord Liverpool's time, did not come with any degree of weight from one who was a Member of the Ministry at the beginning of the Session. The question was now one of only how far the franchise should be extended, and it was no longer possible to consider whether it should, or should not, be extended at all. The Amendment of the noble Earl (Earl Grey) had imported into the discussion a topic foreign to the real question before their Lordships, and almost invited their Lordships to an impeachment of the legislation of the House of Commons; but, after the appeals which had been made to the noble Earl from both sides of the House, he took it for granted that the Amendment would not be pressed to a division. With the greatest respect, therefore, for the noble Earl, many of whose observations he regretted that he had been unable to hear, he should refrain from discussing the Amendment, and pass to the consideration of the Bill itself. The noble Earl who had just sat down (the Earl of Carnarvon) had indulged, to a considerable extent, in glowing denunciations of what he was pleased to call the tendency of the Bill to uniformity in the borough franchise. But, whether for good or evil, at a £10 rental we had uniformity at present. And, as a matter of calculation and argument, he wished to know why a dead level of uniformity at a £10 rental was fraught with blessings which could not be disputed, while a dead level of uniformity at the ratepaying franchise was fraught with pains and evils to all posterity? If the evil lay in the mere uniformity, it could make no difference whether it were fixed at £10, or at a rating residential suffrage. The most important feature of the Bill was admitted on all hands to be the manner in which it dealt with the borough franchise. The universal wish expressed in the discussions of the last few years had been to put the question of Reform, in boroughs especially, on such a basis as to suffer this question no longer to be a disturbing element standing in the way of practical improvements and hindering useful legislation. Did this Bill provide a reasonable prospect of a permanent settlement of this vexed question? In its enfranchising clauses it went far, he believed, to fulfill the definition given by Mr. Pitt, seventy or eighty years ago, of the attempt which should be made to improve the representation of the House of Commons by providing that the House should be "an assembly freely elected from all classes of the people in such a manner that between them and their representatives there should be the closest union and the most perfect sympathy." To those who objected to the Bill under consideration he would put this question—was there, at present, an entire sympathy between the constituencies and the Members of the House of Commons? If there were now such a sympathy existing, why were they afraid to extend a system which had worked so well? If, on the other hand, they allege that no such sympathy existed between the classes about to be enfranchised and their present representatives in the House of Commons, they brought an indictment against the institutions of the country more severe and scathing than any which had ever yet been put forward. He believed that the country was in sympathy with the House of Commons; and that, if care were only taken to extend the franchise to those who would make a judicious use of it, they would strengthen the institutions of the country by enlisting the affections of a still wider class. The provision for personal payment of rates had been passed over very lightly by some speakers; but he ventured to state that all who were acquainted with the Constitution of the country would admit that the principle was correct and sound. Taxation and representation had been connected with each other from the earliest periods of our history; to insist that those who wished for representation should, with the privilege, bear the burden of taxation was an argument at once, simple, intelligible, and cogent. Mr. Hallam, whose opinions as a political writer were always viewed with respect, writing with reference to the year 1624, when this question was much discussed, said—

> "There seems, on the whole, great reason to be of opinion that where a borough is so ancient as to have sent Members to Parliament before any charter of incorporation proved or reasonably presumed to be granted, the right of election ought to have been acknowledged either in the resident householders paying general and local taxes, or in such of them as possessed an estate of freehold within the borough."

The very principles there laid down by Hallam as part of the ancient Constitution of this country were the very principles upon which this Bill was founded. They were told told that personal payment of rates as a guarantee was not maintainable. What possible system could be maintainable if it were not one so simple in itself, so sound, and so much in harmony with the Constitution? Again, it was said that this Bill did, in one step, what ought to have been done in many. Now, he (Earl Beauchamp) regarded it as one of the crowning merits of this Bill that at one bound it settled a question which had been long a source of agitation, and which, without some bold measure of this kind, must still have troubled the political horizon. If the principle itself were right, their Lordships would doubtless be of opinion that in the face of the great evils of agitation it would have been the height of folly and of danger to protract any longer the settlement of this great question. Noble Lords who had spoken—even those who viewed most unfavourably the conduct of the Government—had all with one voice indorsed the opinion that if the line of £10 were once departed from it was impossible to stop short of household suffrage: and the Government had done wisely in coming to the conclusion not to seek a resting place short of household suffrage. One reason, he believed, why the Bill of last year excited so much dissatisfaction was that, being founded on no principle, it held out clearly the prospect of a dangerous and unsatisfactory agitation. This it was which induced the Conservative party to make such protests against the Bill as ultimately convinced the country that if the subject were dealt with at all, it could be dealt with only in the way now proposed. In extending the liberties of the people of this country frankly there was no danger he believed; but it was both dangerous and unwise to haggle, to compromise, to attempt to make reductions which should only "keep the word of promise to the ear and break it to the hope." In the courage Ministers had shown, he believed they had likewise exhibited the greatest wisdom and prudence—

"Tender-handed touch a nettle
And t'will sting you for your pains;
Grasp it like a man of mettle,
And it soft as silk remains."

The borough franchise proposed by the Bill would admit the most respectable of the working classes—not those only who earned wages of a certain amount but all who had given pledges to fortune, and further all those living by their own labour whose skill, intelligence, and good conduct, it was hoped, would justify the country in reposing confidence in them. The noble Earl told them he was afraid that the extension of the county franchise would result in its reduction to £10. That was not the proposal contained in the Bill; but, so far from entertaining a dread of such a reduction, for his own part he thought it would have been an improvement if the county franchise had been put on an equality with the borough franchise; for he could not understand why the artizan who was a ratepaying householder in a borough should have a vote while the well-conducted labourer in an agricultural village, who by payment of rates made an equal claim to the franchise, should be denied it. He had long been of opinion that a gradual change was taking place in the character of the constituencies; and that the opinion was no longer as well-founded as it might once have been that the counties were the stronghold of Conservatives and the boroughs of Liberals. The result of very careful observation had convinced him that the counties now were gradually passing into the hands of the Liberals, while some of the largest towns were becoming Conservative. This result he attributed to the spread of education, within the last twenty-five years especially, which had naturally exerted its influence most strongly on the great centres of population and industry, leading the artizan to withdraw his countenance from the demagogue, to abstain from agitation, and to give his sympathies to those who were his true friends. Dreadful pictures had been drawn of what would happen if this Bill passed. The argument was one which he had often heard described as the "hobgoblin" argument. The noble Earl who had just spoken (the Earl of Carnarvon) said that an aristocracy was prudent, the middle class pacific, and the lower class warlike; and he alluded to Poland and Garibaldi, and predicted that under household suffrage the foreign policy of England would be warlike: but he (Earl Beauchamp) was by no means convinced that the noble Earl was correct in fact, or justified in his inference. He did not believe that the enthusiastic multitudes who at public meetings passed resolutions in favour of Poland, or tendered ovations to General Garibaldi, were, in fact, the classes who would be enfranchised by this Bill. It was all very well to talk in magniloquent language about the conduct of the masses, but when they knew the exact number of the male occupiers in the various boroughs of the country, those masses which in the distance appeared so frightful presented no alarming aspect. If he placed any belief in the predictions of the noble Earl he should indeed tremble for the future of his country; but he was convinced that the time had gone by when they could base the defence of their country on tradition and compulsion. It was all very well in the time of the Plantagenets and Tudors to depend upon such means—or even in the earlier days of the House of

Hanover—but they must be prepared in these days to defend their institutions by argument, and it was because he believed our institutions could be so defended that he should give his support to the second reading of this Bill. If he supposed their Lordships to be a knavish oligarchy, if he supposed that the Established Church was a nest of patronage, if he supposed that the tenure and succession of land were odious to the people of this country, then indeed he might have some ground of reproach against the Government for introducing this Bill; but as he believed that our institutions were thoroughly rooted in the affections of the people of this country, he looked forward with confidence to the passing of this measure. If he supposed that the army and navy were unpopular, or that the administration of justice was corrupt, he might tremble for the consequence of extending the electoral franchise; but as they knew that the two services were exceedingly popular, and that no suspicion ever attached to the administration of justice, we had no reason to fear descending into the arena of argument, instead of defending our institutions by blind tradition or compulsion. So long as our present institutions existed, this country was, in his belief, safe, because they were natural outgrowths of the English character. Sir George Lewis had said:—

> "If a community is thoroughly disorganized, no form of government, however cunningly devised, will obtain stability—will afford security to property and protection to persons. No political frame could have acquired permanence in France at the end of the last century. The saying of the French bookseller, who, on being asked for a copy of the last Constitution, said he did not deal in periodical publications, illustrates the state of things which then existed."

But our institutions did not, fortunately, admit of any such description. Then it was said that, even if the present measure was sound, wise and just, as he believed it to be, the Conservative party had no right whatever to deal with the question. He did not at all wonder at noble Lords opposite clinging with great tenacity to the doctrine that Reform was their political privilege. That doctrine had admirably served its purpose for the last thirty-five years. But he had yet to learn that the settlement of 1832 was as venerable as was pretended. He wanted to know why no Conservative should lay a profane hand on that settlement? The £10 borough franchise might be infinite wisdom; but in fact it was only the creation of yesterday—it had no defence on the ground of antiquity. Why then should they be precluded from dealing with a question the time for dealing with which had frequently been announced as having arrived? In 1852 Her Majesty, in Her gracious Speech from the Throne, said:—

> "It appears to Me that this is a fitting Time for calmly considering whether it may not be advisable to make such Amendments in the Act of the late Reign relating to the Representation of the Commons in Parliament as may be deemed calculated to carry into more complete Effect the Principles upon which that Law is founded."

If Her Majesty had recommended that course in 1852, and if succeeding Governments and succeeding Ministries had invited Parliament to pursue the same path, he could not see how the Conservative party could be taunted with inconsistency in acting upon that advice. The events of 1830 and the events of 1846 were sufficient to show that the Conservative party were not slow to express their opinion when they believed that they had been deceived or betrayed by their Leader. In 1830 the Conservative party melted away like a snow-wreath, because it was believed that the Duke of Wellington had deceived his party in reference to the subject of Catholic Emancipation. In 1846, again, the Conservative party was broken up, because they believed they had been dealt with unfairly by their Leaders on the question of the Corn Laws. But was that the case now? Did they not find on the present occasion the Conservative party adhering to their Leaders, and passing a Bill in spite of the presence of a hostile majority in the House of Commons? When, therefore, the Leaders of the Conservative party were taunted with sacrificing their honour and convictions in order to retain office, the charge met with no response in the ranks of the Conservative party; and in thus finding no response such charges were inconsistent with the past history of this country and of the Conservative party. If the Conservative party, while in opposition, had carried an appropriation clause, pledging the House to the distribution of a portion of the revenues of the Irish Church for the purposes of education—if the Conservative party had, upon the faith of that Resolution, taken office, and then abandoned the course to which they were so pledged, then, indeed, might they have been taunted with inconsistency. If the Conservative party had proposed a Resolution expressing the necessity of lowering the borough franchise, and after ousting their political opponents from office by means of that Resolution had quietly allowed the matter to drop, then, indeed, the Conservative party might have been taunted with inconsistency. If the Conservative party had defeated the Government on an Irish Arms Bill, and six weeks after ousting their opponents and acceding themselves to office had without any fresh outrage or violence brought forward and carried the same Bill—then, indeed, they might have been taunted with inconsistency. Taunts of inconsistency came with a very bad grace from a party by whom such things had been done. Something had been said about the abandonment of securities, especially the dual vote. Now, he would not venture to say how far the Ministry were responsible for the abandonment of that proposal. He was not prepared to say that the dual vote might not be a very right, wise, and beneficial proposal: but the salvation of this country from the surging waves of democracy was not, in his opinion, dependent upon so small and minute a provision as the dual vote. It was said that the Bill, in dealing with the question of re-distribution, left it in such a position that it was idle to expect that it would be a permanent settlement. He should like, however, to know whether the existence of the small boroughs was in any degree a greater anomaly than the disproportion between the county and borough representation. If the principle of numbers, which he thought a fallacious one, was to be the basis of our electoral system, why were the claims of the counties to be lost sight of, and the advent of the time proclaimed in the words of Mr. Canning, referring to the principles of the French Revolution—

> "When each fair burgh, numerically free,
> Shall choose its Members by the rule of three."

On the whole, he for one thought it was impossible, with any degree of justice, to deny that a fair compromise had been arrived at under all the circumstances of the case, and he believed, moreover, that there was a reasonable prospect that it would last. Entertaining these views, and being of opinion that the imperfections of the Bill—for he admitted that it had imperfections—were in great measure due to the hostility with which the proposals of the Government had been met in the House of Commons when they did not occupy the commanding position in which they were now placed, and that it might effectually receive the final revising touch in their Lordship's House, he should cordially support the second reading—confident that the measure would be received with favour by the people at large, who would know how to give their due share of credit to those wise and prudent Ministers who, amidst jarring councils, had solved a most difficult problem with wisdom and success.

EARL GRANVILLE: I am very glad I gave way to my noble Friend and Relative who has just sat down, and I trust he will not think it is from any want of respect that I do not follow him closely through the arguments he has advanced. I wish, at the same time, to state that the noble Earl is entirely mistaken in supposing that we on this side of the House regret that the securities by which this Bill was originally surrounded were successfully opposed by our Friends in the House of Commons. I would also remind the noble Earl, who complains of the noble Lord who spoke before him for appearing to have forgotten the declaration in the Queen's Speech with respect to Reform, that the sentence in which the subject was alluded to by the noble Earl (Earl Beauchamp) in moving the Address in Answer to that Speech, was so singularly short that we were under the delusion that the topic was one which was distasteful to him; whereas it now seems that, following the example of the Members of the Cabinet, he was all the time concealing within his breast that burning desire for household suffrage which he has this evening proclaimed. There is one piece of advice, I may add, which I should like to give the noble Earl in passing, and that is that he should refrain in one respect from taking the course which he has just now adopted, for he will really run some risk of losing his character as a Reformer in the present day if he condescends to use not only the arguments but even the very phraseology of that antiquated and obsolete Reformer, Mr. Bright, who applied the phrase "hobgoblin argument" in reference to an argument that had been put forward by Mr. Lowe. But, passing from the noble Earl, I would observe that the noble Earl who commenced the debate declared that those who sit on these Benches had no right to disparage the present Bill. Now, the noble Earl was clearly premature in making that remark, because, as it happened, nobody on these Benches had said a word; and, I may at once assure him that I rise with no intention to disparage the greater part of a measure which was attacked by a noble Earl on his own side from a point of view with which I cannot sympathize, but with an earnestness, a sincerity, and a power of argument which have caused me to be surprised that no Member of the Government should have thought it necessary to answer him. I am not aware that we have ever discouraged any young Peer on this side from speaking; but it has been said to night, as matter of special remark, that the noble Earl at the head of the Government is in the habit of giving encouragement to the young Members of your Lordships' House. I am bound to admit that that encouragement is not confined to his own political Friends, for he always treats the young Peers who speak on this side with singular courtesy. I may further state that if he treats the two young Peers who have spoken from the Benches opposite to-night with great courtesy, it will be evidence of considerable magnanimity on his part. But, be that as it may, while I entirely acquit the noble Earl of a desire to discourage young Peers, I must say that there is an impression that he does discourage his middle-aged Colleagues from taking part in any important debate like this question of Reform. When a question affecting his department comes on for discussion each noble Lord rises in his place, and speaks with the authority which becomes its Chief; but when any question of importance is debated, involving points of difficulty which may have been deliberated upon and determined by the Cabinet, then the noble Earl, who is a host in himself, rushes into the fray, sometimes, indeed, with the support of the noble and learned Lord on the Woolsack, but never, by any chance, do his Colleagues who sit immediately beside, aid him by the utterance of a single word. There is a noble and learned Lord, indeed, who sits opposite (Lord Cairns), who has accepted the honour of a seat in this House, and who has thus lent to our deliberations the immense advantage of his legislative and judicial capacity; but it is, I cannot help thinking, rather hard upon him that he should be called upon to defend measures proposed by the Government, which he had no hand in framing, and a policy which, I believe, he in his heart often disapproves, instead of having those measures and that policy supported by their natural defenders. I am told too that the most extraordinary efforts have been made during the last fortnight to secure the presence of a noble Lord of immense genius and great eloquence to speak in this very debate. I am told that that noble Lord has betaken himself away—no doubt, with the praiseworthy desire of hiding his talent—and that he has been hunted from London to Hertfordshire, and from Hertfordshire back to London for the purpose.—[*Cries of* "Question!"]

Lord DENMAN appealed to the noble Earl, if the Bill being read a second time was not the question before the House? but was called to Order by certain noble Lords.

Earl GRANVILLE: I have to apologize to the House if I have said anything which is not in accordance with the rules of debate. I was about to go on to express a hope that any little inconsistencies which the noble Lord, to whom I was alluding, might have found it difficult to avoid, will not prevent him from giving us that intellectual treat in defence of this Reform Bill to which we shall all listen with pleasure, and with the utmost consideration. As to the noble Lords who sit beside the noble Earl at the head of the Government, I would give them a little of that encouragement which is, I expect, now denied them. They must, I am sure, have noticed, the other day, when one of the strongest personal attacks was made in the House of Commons on some of their Colleagues, not one of the Gentlemen so attacked made any reply; though he must say that he considered it of the greatest importance that when men of the highest honour were accused of such political misconduct they should answer for themselves, and not by their silence lead to great distrust in political Leaders. The truth was that every one of those noble Lords and right hon. Gentlemen had been so dreadfully scalded that it was very natural that they should shrink from the very coldest water that could be offered to them. There was not one of them who had not made some declaration or urged some important principle or some policy of high intention, and who had not found that some two or three days, or perhaps only some two or three hours, afterwards they were completely rolled over and left in the mud. Now, noble Lords opposite had great advantage over their Colleagues in the other House, for they could not be held responsible for having defended the various courses of the Cabinet in reference to the Resolutions, or to the "Ten Minutes Bill," or other matters. The noble Duke who succeeded me, for instance, in the office which I had the honour to hold (the Duke of Buckingham), and who always speaks in a tone and manner which is so agreeable to the House, enjoys this great advantage over some of his Colleagues—that he is not responsible either for the want of consideration of the question of Reform which was exhibited during the autumn by the Government, nor for the course which they took with respect to the "Ten Minutes' Bill." His task, therefore, indealing with this question now is one comparatively easy as contrasted with that of some of the Members of the Cabinet in the other House. But, to pass from that subject to the important question of the course which the House ought to take with respect to this Bill, there were two points introduced into the discussion by the noble Earl (the Earl of Derby) in moving the second reading. He, in the first place, went into a history of the Reform question, which was characterized by the noble Earl who followed him as imperfect, owing to faults of omission ; I am afraid I must add that it was imperfect also from faults of commission. There were, for instance, some statements of facts which have no absolute foundation in the history of the Reform question. But I am not very desirous of imitating the example set by the noble Earl so far as indulging in personalities is concerned. I must prefer acting upon the rule which he laid down at the beginning of the Session as to the propriety of avoiding all personal recrimination and applying ourselves earnestly to the question in hand. The noble Earl has very properly given us a defence of his conduct in dealing with Reform. Your Lordships may remember the saying of a certain person, who said, "I do not care who makes the laws of a country if I can make its songs." I do not think that applies very much to this country, which is not governed by its songs ; but there is no doubt that in times of political excitement there are jokes and anecdotes which run about the kingdom—jokes and anecdotes invented, perhaps, by ingenious persons, and attributed to men of great distinction, particularly if they have a reputation for ready wit and repartee. Well, a few weeks ago an anecdote of this sort was in circulation, to the effect that one of the Conservative Friends of the noble Earl went and complained to him of the extremely revolutionary character of the measure he was hurrying through Parliament ; and it was stated that the noble Earl gave no defence of his measure, but said "Don't you see how it has dished the Whigs ? " Now, it may be a very desirable object to "dish the Whigs." I believe the story was fabricated; but some things have been mentioned to-night, and have passed very recently, which make me think that there has been a feeling of this kind towards their political adversaries which has in important particulars very much guided the policy of the Government. An accusation was made the other day, not by a Liberal, but by a noble Lord a strong Conservative — namely, that Mr. Gladstone (who had been censured for it) had insisted that ten separate alterations must be made in the Reform Bill; and in going over the whole of these ten alterations that noble Lord showed that subsequently the Government had agreed to every one of them, but had rejected the single Conservative restriction which that noble Lord sought to impose. Well, what was the answer ? It was, I believe, impossible to deny the statement ; but the answer was, "That does not signify; don't you see that Mr. Gladstone was in a minority fifteen or sixteen times ?" Was not the feeling, then, this — "As long as we damage a political opponent we don't care how much of our own principles we abandon, or how much of the principles of that opponent we adopt." ["Oh ! "] Does the noble Earl deny that statement ; does he deny that the Conservative restriction was the only one which they rejected; does he deny that the defence offered on that occasion was exactly that which I have stated ? With regard to the important portion of the Bill dealing with the franchise, I beg to say that I do not look upon it in the slightest degree with those feelings of alarm which have been expressed in some of the speeches made this evening. I have had a very humble share of responsibility in the preparation of almost every Reform Bill, excepting the noble Earl's, which has been proposed since 1851. My own individual feeling in all those cases was that Reform was a good, and not an evil thing. I was inclined towards a considerable extension of the franchise, limited only by what we could practically carry in the face of what we thought was a very serious Conservative opposition, and also limited by what a noble Earl (the Earl of Morley) who has preceded me so well described as the belief that organic changes are better made tentatively and gradually than all at once. At the same time I certainly should have preferred it if the franchise had excluded what has been frequently spoken of as "the residuum." But when a household franchise has been adopted by the House of Commons, and proposed by a Minister of the Crown, I for one would not think for a moment of withholding my support from it, and I do not at all believe it will have the evil results which have been prophecied to-night. So far from its weakening the character of the House of Commons, I do not think there is a doubt but that a Representative Chamber gathers fresh strength from the infusion of a more popular element; and I do not believe—though this effect has been much insisted upon—that the character of individual Members of the House of Commons will be deteriorated. It is quite clear from what we know now that men of great personal ability, without fortune or family connection, will find seats in that House. I feel sure that great lawyers and other professional men will continue to obtain access to the House of Commons, and that men who are neither rich nor members of the aristocracy will not be debarred from entering it. There are parts of this measure which I do not think can hold together; and it was impossible to hear the long, able, and detailed argument of the noble Earl on the cross Benches (Earl Grey) without feeling that the Government ought to take this opportunity of improving it. But with regard to the franchise part of this Bill, with regard to the household suffrage, with regard to the lodger franchise—which is a real Reform Bill for London, and elsewhere is a mere middle-class franchise—I give it my most cordial and earnest support. Then comes the question of re-distribution. It is very curious to look back to what occurred last year, and to see that the strongest attack to which we, rightly or wrongly — I think wrongly — yielded, was based on the alleged absolute necessity of having before us the whole of our re-distribution scheme before it was possible to deal with the subject of Reform. Speeches were made in favour of that view which were called unanswerable, but which to my apprehension were at the time completely answered. But what has happened? You have brought in a Bill this year dealing with the franchise and also with the subject of re-distribution in a way which it is clear cannot endure, although it has been much amended since the Government introduced it. The question of re-distribution, as far as I know—and I have either heard or read most of the speeches made on it—has not been referred to in connection with the franchise; and yet this was the point on which we were defeated in bringing in a moderate measure last Session. When I say that the re-distribution scheme of the Government has been considerably amended I wish to repeat a question which has been twice put this evening on a matter upon which I think it is important that the House should receive a fair answer from the Government—namely, whether this re-distribution scheme, which has been condemned in this House by every person who has spoken this evening except the noble Earl, which has been condemned by a Conservative candidate on the hustings before a great constituency, which is universally condemned by the press, and condemned also, as far as I know, in private conversation, alike by the friends and the foes of the Government—whether they do or do not believe that this scheme of re-distribution will last—I will not say for a generation, or fifteen, or ten years—but whether they will say that from the bottom of their hearts they believe it will last for five, four, or even three years? If they do not believe that, what a position are we placed in? I do not suppose they wish the question of re-distribution to ripen as that of household suffrage has ripened. I do not suppose, if there is any question of amending it this year, that they think all the agitation of this country should be concentrated on this particular question. But what will be the consequence if such an agitation arises? Why, that next year you must double or treble what you now propose to do, if you would satisfy both Houses of Parliament. But if that is not the case, and even should you manage to tide over next year, and avoid bringing in a new scheme of re-distribution, what would happen the following year with a young and ambitious Parliament returned by a new constituency, wishing to do great and astonishing things, and with, perhaps, a great contempt for their predecessors? It is quite clear that you would then have an extensive and even a sweeping scheme of re-distribution proposed, and which it would certainly be difficult in any effectual manner to resist. What was one of the arguments used by the noble Earl with respect to the franchise? I was rather surprised to hear that his argument was all based on the dread of defeat. It was this—"We have been defeated twice before; we do not care to be defeated again; we were determined to have a victory." There was another argument about what is generally called the "hard and fast line" being inferior to the principle embodied in household suffrage. I never could understand the meaning of that argument, or what the principle, here, spoken of is. If you mean by a principle something which cannot be changed again, you must go down to universal suffrage. Moreover, how does your principle apply to the lodger franchise? How, again, does it apply to the £12 county franchise which you have recommended? But the noble Earl adduced another argument which I regard as of great weight and importance. He said—"I have made great sacrifices, and have suffered some obloquy in order to settle this question on something like a permanent footing, so as to get rid of the agitation of the subject, which has too long obstructed all the other legislation of the country." That, I admit, is an argument of great force; and it is the really valid one upon which I think the Government ought to rest the course which they have pursued this Session. But if you apply that reasoning in the case of the franchise, why, I ask, do you neglect equally to apply it when you come to the question of the re-distribution of seats? The noble Earl opposite made a personal appeal to the noble Earl (Earl Grey) to withdraw his Amendment — an appeal in which, individually, I am not disinclined to concur. But will the noble Earl opposite allow me to make an appeal to him? It is perfectly impossible that the noble Earl at the head of the Government should not feel a great attachment to this House which has been the arena of his great intellectual triumphs for one-half of his political life. What is the course he proposed to adopt with regard to this House in respect to the passing of this Bill? The noble Earl's power and influence at this moment is, I believe, paramount in this House. The noble Earl has long been at the head of the great Conservative party. At this moment I am not quite sure that he has the full allegiance of their feelings and thoughts; but he has certainly their full allegiance as to their votes; and with regard to this House, he has a power almost superior to the Queen's prerogative of making Peers, by practically having the selection of the Scotch and Irish representative Peers, whereby he gains an immense accession of strength. ["No!" "Hear, hear."] That power, I must add, he has exercised with merciless severity towards the minority of both of those Peerages; for no individual, whatever his position, his ability, or his character, has the slightest chance of representing either of those Peerages in this House unless his political opinions perfectly coincide with those of the noble Earl. There is one exception, indeed, but that only proves the rule. Moreover, the last time there was a great party division in this House there was a majority against the Government of Lord Palmerston, who, I believe, was the most popular Prime Minister we have had in this country since the Duke of Wellington. That noble Lord recommended to the Queen the creation of a number of Peers about equal to those which the Liberal party had lost by the extinction of Peerages and by the accession of Conservative sons of Liberal fathers. The noble Earl, however, departing from the boast of his first Administration that they had only made three new Peers, and those being all instances of signal public services, has gone on recommending Her Majesty to make Peers of persons, perfectly unobjectionable in themselves, but certainly swelling the majority which he commands in this House. Now, I want to know how this great power and influence is to be employed with regard to the character of this House? The noble Earl, at the early part of the Session, in answer to the noble Lord on the cross Bench (Earl Grey), gave an assurance that this House would have ample time for the fullest consideration of the principle and details of the Reform Bill when it should come up to us; and I ventured, in the absence of the noble Earl behind me (Earl Russell), to say, on behalf of this side of the House, that we cordially concurred in that arrangement. Now, is that assurance to be interpreted by our merely being allowed to talk—which nobody can prevent—or are we to be allowed to make any remark whatever on the Bill as it passes through this House? I observed the other day, in an unauthorized, and I hope, erroneous report of a private meeting of the followers of the noble Earl, that the noble Earl said it was necessary this measure should be passed by this House absolutely without Amendment. [The Earl of DERBY: I did not say so.] I am very glad to hear that contradiction, and I should be still more glad if I might make it the basis of a hope that we may be allowed to make such Amendments as can be made safely and without any danger of collision with the other House. The noble Earl was perfectly justified, I think, in saying that he had suffered much obloquy, and sacrificed much for the franchise question, which has been settled in a manner which has received the sanction of the House of Commons, and has received the approval of the country at large, and that though he might admit some trifling Amendments with regard to the details, nothing would induce him to consent to vital changes with regard to that matter. That may be so with regard to the franchise; but with respect to the re-distribution scheme, if the noble Earl would frankly admit that it is one that is not likely to last, and would cordially co-operate with the House in making this wise, safe, and singularly graceful concession to the demands of public opinion, he would, on the one hand, place this House in a stronger position with regard to the esteem and affection of the people of this country, and would, on the other hand, do that which, in the best sense of the word, is an eminently Conservative measure. I have no right to speak with authority, but I venture to say in the name of those who sit behind me (and I believe I might say so for others out of the House) that if the noble Earl made any declaration of that sort we should not only cordially vote for the second reading of the Bill, but should meet him in a friendly spirit in every respect. We should impose upon him no pre-conceived notions of our own, but should prefer that Her Majesty's Government should take the initiative and the credit of amending that scheme of re-distribution which they have already framed. I believe, too, we might trust to the good sense of the House of Commons not to put itself in collision with this House on so popular a measure as this, and that we should certainly obtain the approval and sanction of the whole country. I have been interrupted in the course of my remarks, and I am afraid I have said things displeasing to some of your Lordships; but I apologize for having done so, and have only spoken from a sincere desire that this Bill should be made acceptable to the country.

THE EARL OF SELKIRK said, he must take exception to the statement of the noble Earl who had just sat down, that the noble Earl at the head of the Government selected the Representative Peers for Scotland exclusively from among those of his own politics. [The noble Earl was then understood to refer to the opinions of certain Scotch Peers who had been elected.]

EARL GRANVILLE admitted that his statement was too general; but that substantially he was correct in what he had stated.

THE DUKE OF MARLBOROUGH: My Lords, we have heard many speeches this evening from noble Lords of great ability and eloquence, but, with the exception of a few friends and supporters of the Government sitting immediately behind the Treasury Bench, the speeches to-night have for the most part been couched in terms singularly condemnatory of the Bill which Her Majesty's Government have submitted to the consideration of the House. When, however, we come to the speech of the noble Earl the late President of the Council (Earl Granville) we find in it a different tone. The noble Earl, with the exception of some trifling details, has not found it in his power to find any substantial fault with the measure, and he has therefore, with that redundancy of humour and sarcasm for which he is so distinguished; thought it consistent with the usual practice of Parliamentary procedure to launch some shafts—innocent it may be—at those Members who have recently joined Her Majesty's Government. It is quite true that those Members are not so experienced as the noble Earl in powers of debate; but when he says that they have not ventured on any occasion during the present Session to express their views on important subjects, I would remind him that when subjects of great importance have occupied the attention of the House they have been matters naturally appertaining to the office of Prime Minister, and therefore on which he would naturally take upon himself to speak; and therefore though the Members of the Government may not have risen to speak, except on departmental questions, I believe it has been from no unwillingness to take part, whenever occasion required, in defending the conduct of the Government to the best of their ability. But there was no portion of the scheme of Her Majesty's Government for the reform of Parliament upon which the noble Earl was able to put his finger except that which relates to the re-distribution of seats, And when my noble Friend who moved the second reading expressed a hope that the measure would be final, or, at all events, that it would last for a considerable period, the noble Earl opposite (Earl Granville) fixed upon the scheme of re-distribution as eminently imperfect, and as one which could not stand the test of time. In spite of your boasts of finality, said the noble Earl, it cannot be final; as soon as a new and ardent Parliament shall assemble one of its first acts will be to frame a much more extensive scheme of re-distribution. But how can the noble Earl with any consistency advance such an objection against the scheme of Her Majesty's Government, when, as was known at the time, and scarcely denied, the measure of the late Government was urged upon them by the hon. Member for Birmingham, who was known at the time to have a very large influence in the councils of the Government, who acted towards them as a kind of *amicus curiæ*, and not only advised the Government to deal with the subject in two separate Bills, but boasted that the extended suffrage was proposed in order that it might serve as a fulcrum to be used by a future Parliament to pass a much larger and wider scheme of re-distribution. I believe that was well known to be the case at the time. [Earl RUSSELL: No!] The noble Earl thinks it his duty to deny it. But the thing was well known and commonly spoken of at the time, and if there was one thing more than another which favoured the general belief it was the persistency of the noble Earl's Government in adhering to a policy so strongly condemned by their friends in the House of Commons, and which ultimately led to their overthrow. My noble Friend (the Earl of Carnarvon) has certainly drawn in dark and ominous colours the fearful effects which he anticipates from the Bill of Her Majesty's Government. I have often listened with pleasure to the noble Earl; I have admired his eloquence and valued his friendship; but on the present occasion I cannot admire either his logical accuracy or his consistency. In the first place, if my noble Friend had been altogether opposed to Reform his speech would have been one of the most effective that could be launched against the introduction of any Reform Bill whatever. But when I heard the speech of my noble Friend I was reminded that it bore a very strong similarity to speeches that have been delivered in "another place." In fact, it seems to be the reflex of opinions which are consistent when coming from a right hon. Gentleman (Mr. Lowe) from whom they come with great effect and power; but I cannot say that they come with the same consistency, power, or propriety from my noble Friend. My noble Friend was a Member of the Cabinet that considered the question of Reform, and he himself admits that he would not have opposed a very material lowering of the franchise. In fact, I am not at all sure that he did not go so far as to say that under certain conditions and in certain circumstances he might have been willing to adopt even household suffrage. But we are not aware what the reasons are—for my noble Friend has not explained them which have led him to take the severe view which he has now adopted, nor has he favoured us with the considerations which have frightened him from his previous convictions. I suppose my noble Friend would not object to a limited suffrage—indeed, I believe the Bill which was called the "Ten Minutes Bill," in which a £6 rating was proposed, was introduced at the suggestion of my noble Friend. To that Bill, which had the inestimable advantage in my noble Friend's eyes of drawing "a hard and fast line," he would not have objected. I will not trouble your Lordships with figures further than to show from Returns before your Lordships' House what the difference would be between the franchise as proposed by the Bill of Her Majesty's Government — or rating household suffrage—and the franchise based upon a rating of £5, as was at one time proposed by the Government —mainly, I believe, to meet the wishes of my noble Friend. Allowing for those deductions which have been explained by my noble Friend (the Earl of Derby) in moving the second reading of the Bill—and what those deductions are we have the best means of ascertaining—it appears that the proportion of electors enjoying the municipal franchise in those boroughs where there are no compounding Acts is about 50 per cent of the householders. Now, three years' residence is required for the municipal franchise, and but one year's residence for the franchise under the Bill. Taking that as the basis of calculation, it will come out that the difference between a £5 rental suffrage and a rating household suffrage is 148,500. It is, then, on account of the small difference of 150,000 voters distributed over 200 boroughs that my noble Friend, with his accustomed eloquence, his strong feeling, and undoubted sincerity, but in high colouring, has depicted the fearful consequences which must result from passing this Bill. We have been challenged to defend the Bill of of the Government.

Now, it is perfectly true, as the noble Earl opposite has said, that I, at least, joined Her Majesty's Government free and unfettered. My noble Friend did me the honour to ask me to accept a seat in his Cabinet, and, knowing full well what the measure was which he intended to introduce, I told him that of that measure, coupled with the safeguards with which it was then surrounded, I had no fear, and I freely joined the Government of my noble Friend. But in what position did the Government find themselves in regard to this question of Reform? Was it a question which the Government of the day wished to bring forward? I can say, and, I believe my noble Friend said it for himself, that he would have been very glad that the settlement arrived at in 1832 had been left undisturbed, that the working classes as they rose higher and higher in the scale should adapt themselves to the franchise, not Parliament adapt the franchise to them. But was it possible for any Government to stand still in the matter? I think the best testimony that I can give on that subject is to quote the words of a Gentleman of great acuteness, on the Liberal side, who has taken a leading part in the debates on the question, and who is well qualified to hold a high position in any Government—I mean Mr. Horsman. In 1859 during the debate on the Bill of my noble Friend, Mr. Horsman, in one of the addresses he delivered showed truly what had been the course of proceeding on the part of the Liberal party, and what was the *damnosa hereditas* which they left to their Conservative successors. Mr. Horsman said—

> "It is admitted that we, the Liberal party, have excited the national expectation of Reform—and it is we who have proclaimed the necessity for that Reform. It is admitted that our own efforts at legislation have hitherto failed. It is admitted that it is the most difficult of all questions to cope with, and the most delicate and perilous to trifle with. . . It is we who, ever since 1851, have kept the question dangling before the eyes of the nation. It is by us that promises have been made, and performances postponed in a manner which has certainly not diminished the difficulties of legislation."—[3 *Hansard*, cliii. 458.]

It was in this state that Her Majesty's Government in 1859 found the question of Reform. How did they attempt to deal with it? I believe I may fairly say that on both occasions — now and in 1859— when the Administration of the noble Earl who is now at the head of the Government brought in measures of Reform, they had one object in view—that of passing a measure which should be as permanent as possible. On the other hand what has been the course pursued by the Administrations of the noble Lord opposite? On no occasion have they brought forward a measure framed on any other model than that of 1832. The Act of 1832 reduced the suffrage to £10, and since then there have been proposals on the part of Liberal Governments for simply lowering the franchise to one figure or another—certainly a rough and ready method of arriving at a conclusion, but certain to produce no result save one of general dissatisfaction. The noble Earl who is now at the head of the Government attempted, however, to deal with the question on some clear and definite principle; and though I do not say that the principle of the Bill of 1859 was the one which ought to have been adopted, still it contained something definite, tangible, and reliable. The borough and the county franchises were assimilated, and you thereby secured a basis of legislation to which you could look as a permanent settlement—because with such an assimilation you do not bring into close contact a man paying one amount in a county and having no vote and a man in a borough who pays a lower sum and yet has a vote. That was the strong argument then made use of, and I am not at all sure that Parliament did wisely, at the instance and under the tutelage of the noble Earl opposite, to reject that measure. The Government have in this Session again acted in the same manner—they have again met the necessity which was imposed upon them—a necessity not of their own creation. After 1859 we had the Bill of 1860, after that the Bill of 1866, and then we had the right hon. Gentleman the Member for South Lancashire with all the power of his eloquence and genius endeavouring to urge the masses and to inflame the popular mind, telling them that they should never rest until they had attained their object—namely, that almost of manhood suffrage. My noble Friend at the head of the Government had that state of things to deal with; was it possible, then, for the Government to shelve the question of Reform? Would not the House of Commons have at once been asked to declare that no Government could command its confidence which did not bring in a Reform Bill? Well, then, how did the

Government act? First, a series of Resolutions were moved in the House of Commons; I think nobody can blame the Government for having adopted that course. Your Lordships must remember the treatment of the measure introduced by my noble Friend in 1859. That measure, brought forward with the most perfect sincerity, was met by the noble Earl opposite (Earl Russell) with a Motion which was intended not only to defeat the measure but to oust the Government. It succeeded; and during the next six years no honest measure of Reform was brought before Parliament. In this instance, therefore, it was natural to proceed by Resolutions, which should rather indicate the intentions of the Government, and elicit opinions in the House of Commons, than put up as it were a butt at which the Opposition might aim their shafts. What was the measure the Government then introduced? I will pass by the measure which was introduced but afterwards abandoned owing to the unfortunate defection of three Members of the Cabinet, and will go to the original measure to which the Government then recurred. The measure to which the Government recurred was based upon rating household suffrage. That was the limit beyond which it was not likely the House of Commons would go. Well, then, did the Government rush blindly into this sea of democracy? Did they abandon their principles? Did they give to the winds all that they had before professed? No. Their measure was framed in a true Conservative spirit, and was based on the principle that it would be right to have a final point upon which reason and common sense would bid them to rest. At the same time, in order that the middle classes might retain that amount of influence—I will not say of preponderance—to which they were entitled, it was provided that, under certain conditions of property, persons should possess two votes. A two years' residence was also required as the necessary qualification for obtaining the suffrage by the payment of rates. I pass over the compounding Acts, because, though hard things have been said of the Government upon the subject, there is no doubt that, as the discussion proceeded, the House of Commons itself, as well as the Government, became more and more enlightened upon the working of these Acts. But how did Parliament treat the safeguards which we honestly and conscientiously introduced into the measure? The Liberal Members and the Colleagues of the noble Earl in the other House helped to sweep away these safeguards; which, moreover, did not find sufficient favour and support even from the friends of the Government. The Government therefore came to the conclusion that it was better to abandon those safeguards rather than risk the passing of the Bill. They had the alternative of adhering to their own plan, or of submitting to the decision of Parliament, and give up those safeguards which they had deemed necessary. It was a difficult and a painful alternative; but it was one from which the Government did not shrink. They felt that, having introduced on their responsibility a measure of this nature, and having seen the strong public feeling which existed on the subject, it would be better to accept the measure as moulded by the House of Commons rather than relegate the question to another Session. One objection urged in the speeches of noble Lords who have preceded me is that we are inconsistent. I trust that I have disposed, in a great measure, of that charge. No doubt, the Government were obliged to yield to the times. Public opinion, the majority of the House of Commons, and the general march of events rendered the passing of a Reform Bill an imperative necessity; and, under all the circumstances, the Government thought it best to agree to the changes made in the Bill rather than incur the danger of putting off Reform for another year. I say that we can bear this charge of inconsistency; we have had no double objects to serve. If the Government had thought it more conducive to the public interest to resign their seats they would willingly have done so, and have invited noble Lords opposite to take office. But we were not of that opinion. Throughout we acted conscientiously, and according to what we believed to be for the good of the country; and I believe that the country, in time to come, will not be ungrateful. The only argument used with much force, and advanced by the noble Earl who moved the Resolution (Earl Grey), is that evil has been done by abolishing the compounder. This may be a matter of parochial importance, and may create difficulties which will have to be surmounted; but they are not of that gravity or of that importance which the noble Earl would make them out to be. The Government are charged with not having known anything about the laws relating to compounding, with having gone on in the dark, and with having suddenly, and without due consideration, consented to abolish compounding. But the subject was before the Government at first; they understood it, and their Bill provided a plan of dealing with compounders. They were not new in relation to the Reform question. They existed, to a large extent, at the time of the passing of the old Reform Bill; and many compounding Acts have been passed since that date. Adopting the plan of the old Reform Bill, the Government proposed that persons resident in houses compounded for were not to lose their votes, and provided that the compounder, who tendered payment of his rates, and made application for his vote, should be placed on the register. It is not to be denied that there was some semblance of a fine being imposed on the compounder; but I think the charge originated in the fertile brain of a right hon. Gentleman distinguished for the microscopic powers of his mind. But, my Lords, these inconveniences were not great in amount. The Bill might have been left as it was brought in without any serious detriment to it. No doubt, numbers would have availed themselves of the means of placing themselves on the register, and those not sufficiently anxious about a vote to have made the necessary application, and to have submitted to the ridiculous and insignificant fine, would scarcely have been worthy of being placed on the register at all. When it was proposed that compounding should be done away with it was the duty of the Government to give a careful consideration to the proposal; they did so, and found that on the whole the balance of advantage would be on the side of abolition; that it would produce a simplicity unknown before in the levying of the rates, and that it would do away with many inconveniences. The Government felt that in acceding to this, which came, not from their own, but from the opposite side, they were doing their duty, and facilitating the progress of an important measure. I think I have answered most of the serious objections urged against this Bill. It is impossible to say this Bill will be final—what human things are? Is it possible that, in the rapid advance of human events, the rapid change of human opinion, and the progress of education, anything can be permanent? Amid all this change, the "Rest and be thankful" idea of the noble Earl opposite (Earl Russell) is not a realization of the present, but rather a dream of the future. If the Bill of last year had been carried, would it have been permanent? Nothing is permanent, and we can only hope that as this country, under the guidance of Providence in the past, has enjoyed freedom from violent changes and bloody revolution, so in the future the same merciful Power will guide the course of public events, and over-rule the course of legislation, that it may be marked by good sense, good feeling, and subordination of class to class — that we may be saved from violent changes, and that these direful prognostications may not be realized. Whatever may happen — whether the measure succeed or fail—the Government will have conscientiously done their duty, and they are but men, capable of exercising human powers. They have done their duty in a way which I believe in my conscience involves no danger to the country; but which will calm agitation and lead the public mind into more peaceable, thoughtful, and rational channels, and do away with this pernicious agitation which has been poisoning the country so long; and in after years I believe the Government will be looked back upon as a Government that deserved well of its country.

THE EARL OF SHAFTESBURY said, that, as several noble Lords wished to address the House, their Lordships would perhaps allow him to move the adjournment of the debate to to-morrow.

Motion *agreed to;* further Debate *adjourned* till *To-morrow.*

NAVAL KNIGHTS OF WINDSOR BILL [H.L.]

A Bill to make further Provision respecting the Naval Knights of Windsor—Was *presented* by The Earl of BELMORE; read 1ª. (No. 252.)

House adjourned at a quarter before One o'clock A.M., till half past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 22, 1867.

MINUTES.]—NEW MEMBER SWORN—Sir John Burgess Karslake, knight, *for* Andover.

SELECT COMMITTEE—*Report*—On Military Reserve Funds [No. 453].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

Resolutions [July 19] *reported.*

PUBLIC BILLS—*Second Reading*—Representation of the People (Scotland)* [146]; Meetings in

Royal Parks [134]; Customs Revenue * [238]; Inland Revenue * [239]; Customs Duties (Isle of Man) * [253]; Turnpike Acts Continuance [232]; Sewage * [260]; War Department Stores * (*Lords*) [255]; Consecration and Ordination Fees * [256]; District Prothonotaries, Court of Common Pleas, County Palatine of Lancaster (*Lords*) * [241].

Committee — County Courts Acts Amendment (*Lords*) [212] [R.P.]; District Lunatic Asylums Officers (Ireland) [242]; County General Assessment (Scotland) * [225]; Poor Law Board, &c.* [193]; Canongate Annuity Tax (Edinburgh) * [210]; Dundee Provisional Orders Confirmation * [257]; Morro Velho Marriages (*Lords*) * [265] [R.P]; Wexford Grand Jury * [264].

Report—District Lunatic Asylums Officers (Ireland) [242 & 269]; County General Assessment (Scotland) * [225 & 270]; Poor Law Board, &c.* [193 & 271]; Canongate Annuity Tax (Edinburgh) * [210]; Dundee Provisional Orders Confirmation * [257]; Wexford Grand Jury * [264].

Considered as amended—Industrial and Provident Societies * [198].

Third Reading—Courts of Law Officers (Ireland) [248].

Withdrawn — Writs Registration (Scotland) * [150]; Tenants Improvements (Ireland) * [18]; Land Improvement and Leasing (Ireland) * [30]; Murder Law Amendment * [14]; Sea Fisheries * [222]; Admiralty Jurisdiction * [28]; Petit Juries (Ireland) * (*re-comm.*) [158]; Intestates Widows and Children (Scotland) * [261]; Intestates Widows and Children (*Lords*) * [230]; Landed Property Improvement and Leasing (Ireland) * [150]; Land Tenure (Ireland) * [12]; Turnpike Trusts * (*re-comm.*) [189]; West India Bishops and Clergy * [126]; Ecclesiastical Titles Act Repeal * [84].

TURKEY—THE CRETAN INSURRECTION —APPOINTMENT OF SIR WILLIAM WISEMAN.—QUESTION.

MR. J. STUART MILL said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he will undertake that, unless in the event of a complete cessation of hostilities in Crete, Sir William Wiseman will not proceed to Turkey or take up his appointment until the House has had an apportunity of expressing an opinion on the subject?

LORD STANLEY said, he had no objection to give the House the intimation to which the Question of the hon. Gentleman pointed. Indeed, he thought he had implied as much in the answer he had given on the same subject a few nights before.

ARMY—INCREASE OF PAY.—QUESTION.

CAPTAIN VIVIAN said, he would beg to ask the Secretary of State for War, Why the additional penny a day granted to Soldiers who re-enlist after twelve years' service under the Limited Act is withheld from those Soldiers who entered the service before the Limited Enlistment Act, and who have served for a longer period than twelve years?

SIR JOHN PAKINGTON replied, that the Question was put under a misapprehension. The penny a day was not to be withheld from the soldiers to whom the hon. Gentleman referred. It was, on the contrary, intended to give it to them.

POOR LAW BILL.—QUESTION.

MR. T. B. POTTER said, he would beg to ask the Secretary to the Poor Law Board, Whether, considering the advanced period of the Session, it is his intention to proceed with those Clauses in the Poor Law Bill which are likely to give rise to protracted discussion?

MR. SCLATER-BOOTH said, he should not at this period of the Session wish to proceed with those clauses of the Bill which were likely to give rise to protracted discussion. He therefore proposed to go into Committee on the Bill *pro formâ* that evening, and to omit from it clauses from 4 to 10 inclusive, 23 to 25 inclusive, 33 to 41 inclusive, and 46 to 48 inclusive. There was also a series of clauses referring to the election of guardians, which he proposed to retain; but he should not like to proceed with them if he thought they would lead to anything like lengthened debate. He did not, however, anticipate that such would be the case.

IRELAND—THE TYRONE MAGISTRATES.

QUESTION.

COLONEL STUART KNOX said, he would beg to ask the Chief Secretary for Ireland, Whether, in the opinion of the Government, the Report of the Commissioners who were appointed to inquire into the conduct of the Tyrone Magistrates has completely exonerated them from the charge of partiality, favour, and affection in the execution of their duty on the occasion referred to by Judge Keogh at the Lent Assizes at Omagh; and, as the Commissioners report that the Magistrates appear to have been misled by instructions issued by former Governments, what course will now be taken in regard to these instructions?

Lord NAAS replied that the Commissioners made in their Report the following statement:—

> "We think the justices were in error in dismissing the charge against the other defendants in the first summons; that they should have returned them for trial for the offences charged; but we think that in making their decision, they acted to the best of their judgment, and were not influenced by improper motives. They stated to us that it was with regret they felt that they had not the power to return both parties for trial."

He thought, after the perusal of that Report and the evidence given, no one could come to any other conclusion than that the magistrates acted in the case in no degree from feelings of partiality or favour, and so far as he was concerned he entirely concurred in the opinion of the Commissioners. With respect to the second portion of the Question, as to the code of instructions issued to the magistrates, he must say that he had always felt a great objection to the issue, by the executive Government, of instructions to magistrates as to the mode in which they ought to perform a particular portion of their duties. The best code was, in his opinion, the statute book read by the light of their own good sense and experience, and the Government were therefore considering whether it would not be advisable to withdraw the code of instructions in question, as well as other codes sent to magistrates. He hoped, he might add, that the Government would be able to come to a decision favourable to that course.

BUSINESS OF THE HOUSE.

STATEMENT.

The CHANCELLOR of the EXCHEQUER said, he mentioned last week that it would probably be convenient to the House for him to give some indication of the probable course of business for the remainder of the Session, and with the permission of the House he would call attention to the present state of the Paper. He found that there were set down on the Paper fifty Government Bills. With nine of these—the Murder Law Amendment Bill, the Writs Registration (Scotland) Bill, the Tenants Improvements (Ireland) Bill, the Landed Property Improvement and Leasing (Ireland) Bill, the Admiralty Jurisdiction Bill, the Petit Juries (Ireland) Bill, the Intestates Widow and Children (Scotland) Bill, the Sea Fisheries Bill, and the Office of the Judge of the Court of Admiralty Bill—it was not proposed to proceed. That would leave forty-one Government Bills still remaining, and of these, eleven having come down from the Lords, it was not intended to proceed with till the latest period of the Session. Thirty would still remain, and of those thirty, sixteen stood for second reading, thirteen for Committee, and one for third reading. Among the Bills which might probably lead to some discussion were the Factory Acts Extension Bill, the Hours of Labour Regulation Bill, the Parliamentary Elections Bill, the Contagious Diseases (Animals) Bill, the Turnpike Acts Continuance Bill, the Public Health Scotland Bill, and the two military Bills relating to the Army of Reserve and the Militia Reserve. The House would now be able to form a tolerable idea of the chance of getting through the business which was to be proceeded with, and he trusted that the Government would be able to carry the measures which he had not announced as to be abandoned. That must, however, depend on a variety of circumstances, over which he had no control at present. To night the second reading of the Scotch Reform Bill, and the second reading of the Meetings in Royal Parks Bill would be taken, and to-morrow there would be a Morning Sitting at twelve o'clock, with the object of giving to the hon. Member for Galway (Mr. Gregory) an opportunity to bring forward his Motion respecting the *Tornado* case. He had also placed on the Paper for to-morrow the Bill of the hon. Member for Finsbury (the Artizans' Dwellings Bill) and the Irish Tramways Bill; but, with respect to the former Bill, he had heard since he entered the House that there was some possibility of this Bill not coming forward, in consequence of the hon. Member having given a Notice not in conformity with the adoption of such a course. He trusted, however, that the hon. Member would have an opportunity of bringing forward the measure, which was an excellent one. On Thursday the Military and Naval Estimates would be taken, and on Monday next the Vote for the British Museum. On the Friday following, if they had an opportunity, they intended to bring forward the Vote for the Packet Service, and on the subsequent Monday the Education Votes. It would be hardly convenient to trouble the House with any further arrangements at present; but he hoped he had given a tolerably accurate notion of the position in which public business stood.

Moved, "That the Order of the Day for the Second Reading of the Murder Law Amendment Bill be *discharged.*"—(*Mr. Chancellor of the Exchequer.*)

SIR ROUNDELL PALMER said, that as he understood from the statement of the right hon. Gentleman, the Government did not intend to go on with the Bill for altering the Admiralty jurisdiction, or the Bill from the Lords referring to the Office of the Judge of the Admiralty, Divorce, and Probate Courts, he would take the liberty of asking the Chancellor of the Exchequer, whether the latter subject had been considered by the Government, and whether the Government would be prepared to issue a Royal Commission, with a view to inquiry into that general subject? If that were so, as he hoped it was likely to be, of course he should not be obliged to submit any Motion to the House; but if it were not so, he should be compelled to submit a Motion.

THE CHANCELLOR OF THE EXCHEQUER said, that the hon. and learned Gentleman would perhaps put his Question on Thursday.

MR. M'CULLAGH TORRENS said, that the notice respecting a change in his Bill had been given, not by him, but by another hon. Member, and he had endeavoured to induce the hon. Member to waive it, in order to facilitate the passage of the Bill.

METROPOLITAN IMPROVEMENTS BILL.

QUESTIONS.

COLONEL SYKES desired to know, If the Government intended to proceed with this Bill this Session?

THE CHANCELLOR OF THE EXCHEQUER: The Bill is not a Government measure.

MR. CRAWFORD asked, if there would be a Morning Sitting on Friday?

THE CHANCELLOR OF THE EXCHEQUER: I do not contemplate a Morning Sitting on that day.

MR. DARBY GRIFFITH wished to know at what time the House would meet on Tuesday?

THE CHANCELLOR OF THE EXCHEQUER: I propose to meet to-morrow at the old hour of twelve, and to sit until four, and then to suspend the Sitting until six o'clock.

Motion *agreed to.*

Orders *discharged:* Bills *withdrawn.*

WEST INDIA BISHOPS AND CLERGY BILL.—QUESTION.

MR. REMINGTON MILLS said, he would beg to ask the Under Secretary of State for the Colonies, Whether, under the difficulty of carrying through the present Session of Parliament the West India Bishops and Clergy Bill, he will submit a Bill early in the ensuing Session for relieving this country of the burden of paying £20,300 per annum for the Ecclesiastical Establishments in the West Indies imposed by the Act 5 *Vict.*, s. 2, c. 4; and whether any appointment requiring to be made in the meantime shall be subject to the future regulations of Parliament?

MR. ADDERLEY stated that the Government intended during the recess to collect information with the view of dealing with the subject in a way to relieve the Consolidated Fund from the charge on account of the West Indian Bishops and clergy. It was, however, impossible for the Government, while existing Acts remained unrepealed, to promise that any appointments in the meantime should be subject to future regulations.

INCREASE OF THE EPISCOPATE BILL.

QUESTION.

MR. WHITE wished to know, If it is seriously intended to proceed with this Bill at this late period of the Session?

SIR ROUNDELL PALMER stated, that he seriously intended to proceed with the Committee on this Bill.

MEETINGS IN ROYAL PARKS BILL.

(*Mr. Secretary Walpole, Lord John Manners, Mr. Attorney General*)

[BILL 134.] SECOND READING.

Order for Second Reading read.

MR. GATHORNE HARDY, in moving the second reading of this Bill, said, it had been introduced by his right hon. Friend (Mr. Walpole) before Whitsuntide, and, when his attention had been called to it after coming to the Home Office, he stated that he would put certain Amendments on the Paper, which would show his intention as to the mode in which the Bill should be framed if it went into Committee. Practically the question was whether there should exist, with reference to the Royal Parks, that jurisdiction which, he believed, existed as to all other Parks in the country and all other recreation grounds connected with large towns? He thought the present time peculiarly suited to the consideration of this measure, inasmuch as there was now a complete cessation from political agitation in connection with the assumed right of meeting in the Royal Parks. The existing law presented difficulties in the way of enforcing the rights of the Crown, not only in respect to political meetings, but also in respect to assemblages in the Royal Parks for the purposes of preaching, of musical performances, or of games. Practically the only remedy against such meetings was a resort to the ordinary law of trespass. He believed that there was nothing more clearly established than the title of the Crown over these Parks. It had been laid down in the most distinct and peremptory terms, and might be said to be conclusively established; but the difficulty was as to how it should be enforced; and hence the necessity for legislation. In trying the question merely of civil trespass, if there was no actual damage, the verdict might be for so small a sum that no useful result would follow. If the Crown proceeded by writ of intrusion, the old form of procedure, which was seldom acted upon, it might be open to very technical objections, and might, after all, lead to no practical result. The legal Opinions given on this subject had been read to the House on a former occasion. To the first was attached the names of the Lord Chief Justice of the Queen's Bench, Lord Westbury, and Mr. Henry Willes; to the second, the names of Lord Cairns and Sir William Bovill; and to the last Opinion the names were appended of Lord Justice Rolt and the Attorney General. All these great authorities expressed their opinion most confidently in favour of the right of the Crown to exclude the public from the Royal Parks. The right actually existed and was practically exercised at certain periods every day—the Parks being closed at certain hours. But so long as acts done were legal in themselves they could only be proceeded against if committed in the Parks, as for civil trespass. That was not, he believed, the case in any other recreation ground in the country. There was generally a power to lay down rules by which persons were summarily liable to be taken before the magistrates, and fined or dealt with as the case might require. If such a power were laid down by an Act of Parliament, this question would at once be settled. The only way in which this

question had become complicated had been from want of power to enforce rights which were acknowledged to exist. It had been complicated so long ago as 1855, when disturbances arose which attracted the attention of the House and the public. A Commission was appointed to inquire into the subject. Objections were entertained to the Sunday Trading (Lord Grosvenor's) Act. Meetings of the most tumultuous character were held against it, which rendered those Parks almost inaccessible to persons who were peaceably disposed, and who wished to use them for the purposes of recreation. The Commission reported—

> "It seems to us that meetings of this nature might properly be interdicted and suppressed as novel and not sanctioned by usage or the regulations of Hyde Park. To make Hyde Park an arena for the discussion of popular and exciting topics would be inconsistent with the chief purposes for which it is thrown open to and used by the public."

After that religious discussions were got up, and the police had orders to remove those who engaged in them; but, in consequence of what had taken place this year, the preachers said, "You don't remove others and you have no right to remove us from the Park." But they had been removed; they submitted, and in no case had any question of law been raised as to the right of the police to remove those having been guilty of a breach of the conditions in which they were admitted to the Park. In 1862 the Garibaldi riots took place between those who were in favour of Garibaldi and others from the Irish quarters who were in opposition to him, when violent breaches of the peace took place, and the Parks were again rendered almost inaccessible to the public. The remedy was not clear and distinct. It often happened that the most guilty parties who occasioned those meetings in the Parks, and were really responsible for them, absented themselves from them, and therefore could not be proceeded against except by civil trespass. Certain steps were taken last year. The gates were closed, so that those who disputed the right of the Crown might have the opportunity of doing so. But the parties turned aside and did not enter the gates. They had an opportunity of testing the law at that time, but the question had not been raised, and so far as they were concerned there seemed to be an admission that the Crown had the right to close the gates. This was not a political question at all, because the mode in which the present Government viewed the subject was that also in which the right hon. Gentleman the former Secretary of State regarded it. On July 24, 1866, the right hon. Baronet (Sir George Grey) said—

> "Sir Richard Mayne informed me that it was reported that it was intended to hold a meeting in Hyde Park. I told him that, in accordance with the course that had been adopted for some years past by the Government, the meeting in Hyde Park would not be permitted, and that I wished that an intimation to that effect should be made to those who were engaged in organizing the proposed meeting. I must, therefore, take upon myself a full share of responsibility for having acted on the opinion that it is inexpedient that meetings of a political character should be held in Hyde Park, and that it is utterly incompatible with the purpose for which the Parks are thrown open that large assemblages of people for making speeches or passing resolutions on political or religious matters should be permitted to take place in them."—[3 *Hansard*, clxxxiv. 1406.]

That was precisely the view which the present Government took. At present the Parks of London were not protected by law as they were in other parts of the country, and therefore it was necessary that some legislation should take place on the subject. Look at what happened with regard to these meetings in the Parks. If no steps were taken by the Government, great blame would be thrown upon them for not having a sufficient body of police present to protect the public, whereas a sufficient force could not be brought together without great expense and trouble, and without withdrawing the police from other parts of the metropolis. It must be recollected that, however peaceable those who formed the meeting might be, it was inevitable that there would be a large number of hangers-on who would take the opportunity of plundering and annoying those who happened to be in the neighbourhood. It must not be supposed that this question related to Hyde Park alone; the whole of the Royal Parks were in the same position, being left without any special legislation. The only object of this Bill was the protection of the public, who had a right to the unrestricted enjoyment of the Parks. It was said that on a recent occasion a great number of persons were present who took no part in the meeting, but it must not be forgotten that many persons were prevented from visiting the Park on that occasion by fear. It should be distinctly understood that the Parks were free from any assemblage which could alarm the most timid. The Bill proposed that any meeting held in the Royal Parks without the permission of the Crown should be an illegal assembly, and that the First Commissioner of Works should have power to make by-laws, the breach of which should be punishable by a small fine not to exceed 40*s*., or some other sum to be determined upon in Committee. He had no wish that there should be any protracted discussion upon this Bill, neither did he wish it to be supposed that any political or religious question was raised by it. The Bill would operate as much for the benefit of the working as of any other class, seeing that its object was to preserve the Parks for the recreation of the people. As he saw in his place the hon. Member opposite who had put a Question to him the other day with regard to Trafalgar Square, he might inform him that that Square was by the 6 & 7 *Vict.* c. 60, put under the control of the Crown and of the First Commissioner of Works, but being within one mile of Westminster Hall it also came within the operation of the 57 *Geo.* III., which made it illegal for fifty or more persons to assemble within one mile of Westminster Hall for the purpose of agreeing to petitions with a view to overawing Parliament. He had adopted the form of that Act in dealing with public meetings held in the Royal Parks.

MR. NEATE inquired what penalties the Bill proposed to impose on those who were guilty of a breach of its provisions?

MR. GATHORNE HARDY said, it was an indictable offence punished with fine and imprisonment. He thought that important cases of breaches of the law in this respect should be tried by a jury, but other and minor cases might be dealt with summarily. His object was to give the same kind of protection to the Royal Parks that was enjoyed by public Parks in the country, and to enable the public to use them as places of recreation and enjoyment. There was a conclusive right in the Crown to regulate the use of the Royal Parks, but greater facilities were required for enforcing it.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

MR. NEATE said, he had expected from the Government a measure far more perfect and more adequate than the one that had been proposed. He thought that, instead of dealing with the question of the right of meeting in the Royal Parks only, they ought to have boldly grappled with the question, whether any open-air meetings ought to be permitted in the metropolis without the consent of the authorities. It would be well that the law on the subject should be clearly stated, as on a recent occasion it was loudly asserted by persons who ought to have known better, that his right hon. Friend the then Secretary of the Home Department was wrong in his view of the law, and that Mr. Beales was right. That opinion was entirely erroneous, and those who attended the meeting did so in wilful defiance of the law. He did not say that their conduct amounted to an actual breach of the law, as individual notices had not been served; but what he did say was, that the meeting was held in wilful defiance of the rights of the Crown. He thought that if the people of the metropolis had a right to meet in great numbers at the summons of irresponsible persons, it would be a mistake to prevent their assembling in Hyde Park, which would be a most convenient place. It was a great error to grant that there was a right of meeting, and then to forbid Hyde Park as a place of meeting on the ground that assemblies held there might interfere with the amusements of certain classes. That argument was strongly urged by idle men at the clubs when a difficulty arose last summer, and so strongly did he feel on the subject that he determined to unite himself to those who sought to open the Parks for public meetings, and he went to see Mr. Beales on this subject. He had not the good fortune to meet the gentleman, or perhaps, he had the good fortune not to meet him. [*A laugh.*] He said that to show that he did not look at the question in any class light. The question was, had three or four or half a dozen people the right to call together in the metropolis 20,000 or 30,000 people? If there was such a right it was one that ought not to be permitted to exist. What would be the result of such meetings in times of excitement, for there was no real excitement during the Reform agitation? The people then did everything in their power to keep order, as they wished to show that they were fitted for a large extension of political power; but at one of the meetings a speaker suggested that they should enlist into their service, as a kind of camp followers, the dangerous classes, and that they should hold such meetings every week as would compel the shopkeepers of the metropolis to close their shops on the days of the meetings. It was not so long since riots had occurred at Nottingham, at Bristol, and elsewhere, and to avert such disgraceful scenes from the metropolis it was the duty of the Government to see that, now that the people had a legitimate channel for the expression of their opinions, they should not take an unconstitutional way of making them known. The Whig demagogues of other days talked of the sovereignty of the people, but little good came of it. The present Ministry had for the first time established that sovereignty on a firm basis, and it was their especial duty to see that the people, in the exercise of their power, kept within proper limits. He opposed the Bill as imperfect and inadequate, and moved, "That it is not expedient to deal with the question of Public Meetings in the metropolis only with reference to the Royal Parks."

Motion not put.

Mr. P. A. TAYLOR rose to move that the Bill be read a second time that day three months. He thought that the Bill ought to be termed "A Bill to take away the right of public meeting in the metropolis." ["Oh, oh!"] It was true that nominally the right of public meeting was preserved; but they should remember the words of Shylock: "You take my house when you do take the prop that doth sustain my house; you take my life when you do take the means whereby I live." The right of public meeting was spared; but it was necessary that there should be a place for holding such meeting; and the Bill deprived the people of the metropolis of the only convenient place in which they could assemble, or, rather, the only convenient place in which such meetings could be held. In certain portions of the Bill the Parks were treated as the property of the public; in others as that of the Queen. He did not, of course, mean to say that the Bill treated the Parks as if they were the private property of the Queen, although one Gentleman, who said, "Why should the Queen permit a political meeting to be held without her consent in Hyde Park any more than I would in my own park?" appeared to favour that idea. From 1 *Geo.* III. to 14 & 15 *Vict.* a whole series of Acts had been passed vesting the management of the Parks in Commissioners (as see Clause 1), public servants expending public money, whereas by Clause A in the Bill the management was referred to as vested in the Prerogative of Her Majesty. If the law, as stated in Clause A, was correct—if the management and control of the Parks was the Prerogative of the Crown—the whole policy of the Government with reference to the public meetings in Hyde Park had been—to use a phrase which was classical on the other side—one of " meddle and muddle." He was surprised the Bill had been again brought forward. He should have thought they would rather have wished to have buried in oblivion what had taken place with regard to the Royal Parks during the last fifteen months rather than revive it. He thought that it was now generally acknowledged that every evil consequence that had attended the public meetings in Hyde Park was due to the mismanagement of Government, and that the leaders of the people had behaved in a manner not only blameless, but praiseworthy. In July last it was determined to hold a public meeting in Hyde Park. The Government then held an Opinion, signed by Sir Alexander Cockburn, Lord Westbury, and Mr. Justice Willes, stating that although the Government had a right to keep the public out, yet, if persons who had once entered held a meeting, or preached, they could not be turned out without proper notice. What did the Government do? They guarded certain points at which entrance might be effected; they left a long line of crazy old railings undefended; the people crowded around these rails, and they went down. He believed that most men were now agreed in the opinion that the people went there with no idea whatever of forcing their way in. The moment the people entered, the authorities—although they held a legal Opinion informing them that persons who had once entered the Park could only be dealt with in the regular course of law—let loose the police on the people to hunt down and assault them. He found no fault with the police, for they were under the control of the Government, and the fault was with the latter. Great excitement prevailed for two or three days, and then the Government called on Mr. Beales to maintain order and keep the peace. Last May it was proposed to hold another meeting in Hyde Park, and the Government took another legal Opinion. Sir Hugh Cairns and Mr, Bovill, the then Law Officers of the Crown. stated that the contemplated assembly was not unlawful so long as those who took part in it conducted themselves in an orderly manner, and that practically, by legal means, the proposed meeting could not be dispersed. The Government, nevertheless, issued the following manifesto:—

> "Whereas it has been publicly announced that a meeting will be held in Hyde Park on Monday, the 6th day of May, for the purpose of political discussion; and whereas the use of the Park for the purpose of holding such meeting is not permitted, and interferes with the object for which Her Majesty has been pleased to open the Park for the general enjoyment of her people; now all persons are hereby warned and admonished to abstain from attending, aiding, or taking part in any such meeting, or from entering the Park with a view to attend, aid, or take part in such meeting. "S. H. WALPOLE.
>
> "Home Office, Whitehall, May 1."

Placards had been posted throughout the streets, warning persons against entering the Park and taking part in the meeting. The organs of the Government and the press fulminated threats against the people—infantry, cavalry, and artillery were prepared for action at the different railway stations, but at the last moment the Government withdrew from the contest. If it were possible to irritate the people, mischief might have arisen from what the Government had done. He did not say that such was the intention of the Government, but they could not have taken a course more calculated to do so. The meeting was held. It was numerous, but peaceful, quiet, and orderly. It was admitted in both Houses of Parliament that nothing could have been more praiseworthy or more excellent than the demeanour of those who attended that meeting, and it clear that the Government withdrew because they found that they had no law on their side. The Reform League were not the violent and bloodthirsty demagogues they had been represented by some persons in that House to be. He was present at a meeting of the Reform League before the meeting in the Park took place, and their only desire was fairly and firmly to try the question of the people's right to meet in the Parks. The chairman of one of the platforms announced that, to prevent the occurrence of anything unpleasant, he would have around him a guard of thirty or forty persons, who would open their ranks to admit any officer who came to arrest him. The right hon. Gentleman the Secretary of State for War, when answering a deputation respecting the removal of Knightsbridge Barracks, used the following language:—

> "Looking to recent events, which none of them could ignore, he would ask whether it was not im-

portant that, wherever a barrack should be placed, it should be very handy?"

He could tell the right hon. Gentleman that nothing could be less convenient and handy than to interfere with the exercise of the people's rights by the introduction of a military force. The right hon. Gentleman should recollect the moderate and statesmanlike language of Lord Russell on the subject. His Lordship said—

> "With regard to the future, I do hope that, having committed two such capital mistakes—the great mistake last year of trying to keep the people out, and the mistake this year which has led to a great diminution of the respect for authority—the Government will now leave Hyde Park alone."—[3 *Hansard*, clxxxvii. 231.]

It was said as an argument against such public meetings that they were too large for public discussion, and therefore answered no useful purpose. He dared to say that very few persons changed their opinions in consequence of anything they heard on such occasions, but that did not prove that such assemblies were useless. It was said last year that the people did not want Reform, but, thanks to these great meetings in the metropolis and elsewhere, hon. Gentlemen opposite were convinced that they were in error. It was seen, indeed, that the people were so much in earnest as to compel right hon. Gentlemen opposite to come forward with the most Radical measure of Reform ever proposed by the Government of this country. But, then, it was said that these meetings were objectionable and dangerous, because they brought together so many of the class called "roughs." In all great populations there would be found a certain number of persons—call them "roughs" or "residuum"—who were drunken, depraved, and dishonest. But he maintained that it was the duty of the Government to protect the working classes in Reform meetings against the "roughs," just as they protected the upper classes against them in reviews and at other gatherings. The presence of these roughs was no reason why the Government should put a stop to public meetings, but was a reason why they should protect the right of public meeting against the disorderly and dangerous classes. The protection of the right of public meeting was more important than the protection of flower-beds; and he defied any person to say that when the people did meet in the Park a single flower was destroyed. There was no use in passing the Bill or in multiplying legislation, without deriving from it any possible advantage. The Government could not draw up a Bill of indictment against a whole people, or pass a law that would trammel their liberties. Let it not be said that in the Session of Parliament in which they had passed the most Radical measure of Reform ever introduced in that House, they had also passed a measure to abrogate the right of meeting. They had, by a generous admission of the people to the franchise, done away with the exclusion that previously existed. The people admitted to the franchise could now speak through their representatives in Parliament; and there being now, as he believed, an end of the meetings in the Park, was it advisable to recall all the ill-feeling that had been excited by the interference of the Government? By passing this Bill they would create a new statutable offence, and its extent and limit in reference to public meetings should be clearly defined. Some persons might meet spontaneously without any previous notification. During the visit of Garibaldi such a meeting took place, and if this Bill had been passed at that time the persons attending that meeting would have been liable to arrest. If we were about to imitate the tactics of our neighbours accross the Channel with respect to the right of public meeting we must do so to a still greater extent even than was now proposed, and, perhaps, it would eventually be found necessary to appoint a new officer with the title of Prefect of the Thames. He, for one, should not like to see such a state of things brought about, and for these reasons, as well as for many others which he should not take up the time of the House by stating, he should move that the Bill be read a second time that day three months.

Mr. J. STUART MILL seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Taylor.*)

Mr. NEWDEGATE said, he concurred with the object of the hon. and learned Member for Oxford (Mr. Neate), but had not seconded the proposal because he thought a confusion might have arisen between the two Amendments by which the hon. Member for Leicester (Mr. Taylor) might have gained an undue advantage. The hon. Member for Leicester had complained of the Bill as tending to establish an undue extension of the Prerogative of the Crown. The hon. Member did not seem to be aware that there was no Prerogative except that which was declared enacted and limited by law. He (Mr. Newdegate) admitted that the Bill strengthened the Prerogative of the Crown in the matter of the Parks by supplementing it with the power of intervention by the Board of Works. He admitted that this was a valid objection, for he was opposed to vesting extraordinary discretionary power, which was virtually arbitrary power, in the hands of officials with respect to matters touching the right of public meeting. He (Mr. Newdegate) had much rather there had been no discretionary power proposed to be vested in the Board of Works or any other office. He would rather see the principle of the old Act of *Geo.* III., under which public meetings during the sitting of Parliament were not allowed to be held within one mile of the House, extended to three miles. This Bill was not, as the hon. Member seemed to think, a specimen of monarchical legislation. The United States of America, when their Republican Constitution was established, reserved the federal territory of Columbia—six miles round the Capitol—free from all public meetings, and kept that territory non-political under the exclusive and absolute power of Congress, for the sake of guarding against that system of terrorism which formerly had existed in Paris, and, by overawing the legislative assemblies, had destroyed the freedom of France. In 1848 a large number of persons from Bristol came to that House, to a Friend of his, and threatened that the Bristol people would come to London in great strength, and the reply they got was: "You may, if you can, bring the Bristol mob to London, but the London mob will lick them —will break their heads and send them back." He (Mr. Newdegate) did not doubt that if the terrorism of large meetings in the metropolis was found to prevail that the people would come up from the midland counties to support that House against such dictation; but what would be the consequence, confusion worse confounded. It was therefore absolutely necessary to guard the freedom of the deliberations of that House from invasion by local mobs. He believed the Reform Bill would pass, and that they would thereby secure a full expression of the popular will. But having done that, he thought it would be better if the Government had followed the example set by the Statute of *Geo.* III., passed in 1817, by which it was enacted that not always, not during election times, but during the sittings of Parliament, the right of public meeting should be prohibited within three miles of the House. Such a measure would have been less arbitrary in its character and principle than rendering the exercise of the right of public meeting subject to the discretion of the Ministry, while it would secure the freedom of deliberation to the House. And there was another reason for this. Parliament had decided that the Courts of Law should be removed from Westminster Hall to Lincoln's-inn-fields. Now the Act of *Geo.* III., was intended for the protection of the Courts of Law as well as of Parliament. The removal therefore of the Courts of Law afforded a good reason for extending the sphere of the operations of the Act of *Geo.* III., and he regretted that Her Majesty's Government had not taken that course rather than introducing the present measure.

MR. J. STUART MILL said, among the many, to me, regretable things which were said by my hon. and learned Friend the Member for Oxford (Mr. Neate), there was one with which I entirely agree: that this question is entirely a political question. It is only as a political question that I care about it. I see no reason why we should at present discuss all the purposes for which the Parks should or should not be allowed to be used. All I am anxious about is that political meetings should be allowed to be held there. And why do I desire this? Because it has been for centuries the pride of this country, and one of its most valued distinctions from the despotically-governed countries of the Continent, that a man has a right to speak his mind, on politics or on any other subject, to those who would listen to him, when and where he will. He has not a right to force himself upon anyone; he has not a right to intrude upon private property; but wheresoever he has a right to be, there, according to the Constitution of this country, he has a right to talk politics, to one, to fifty, or to 50,000 persons. I stand up for the right of doing this in the Parks. I am not going to discuss this matter as an affair of technical law. We are not here as lawyers, but as legislators. We are not now considering what is the interpretation of the existing law; we are considering what the law ought to be. We are told that the Parks belong to the

Crown, but the Crown means Her Majesty's Government. Her Majesty's Government of course have power over the Parks; they have power over all thoroughfares, all public places, but they have it for purposes strictly defined. It is not, I believe, even pretended that the Parks are the property of the Sovereign in the same manner as Balmoral and Osborne are her property. They are part of the hereditary property of the Crown, which the Sovereign at her accession gave up to the nation in exchange for the Civil List; and the right hon. Gentleman would find some difficulty in showing that the surrender was accompanied with any condition as to the particular uses to which the Parks should be applied — any stipulation confining their use to walking and riding, or, as it is called, recreation. As long as the compact with Her Majesty exists, so long, I contend, the Parks are public property, to be managed for public uses at the public expense, and to be applied to all uses conducive to the public interest. If a technical right of exclusion has been allowed to be kept up, it is for police purposes—for the safety of the public property and the maintenance of the public peace —and not for the restriction of the freedom of public speaking. On what principle is the House asked to curtail this inherited freedom of speech, and make it penal for the people to use that freedom in large numbers, in the only places now left in the metropolis where large numbers can conveniently be assembled? On no principle can this be done, except that of the most repressive acts of the Governments most jealous of public freedom. The French Emperor says that twenty-one people shall not meet and talk politics in a drawing-room without his license. Her Majesty's Government only says that 100,000 people shall not meet for a similar purpose in the Parks without theirs. This is a wide difference in degree. It is much better to have our lips sealed in the Parks than in our own houses—better that free speech should be limited to a few thousands or hundreds than to tens; but the principle is the same, and if once it is admitted, a violation has commenced of the traditional liberties of the country, and the extent to which such violation may afterwards be carried becomes a mere question of detail. But what is the justification alleged for introducing arbitrary restrictions by which the holding of a great open-air meeting in London without the previous consent of the Government will be made impossible? The excuses which profess to be founded on public convenience do not deserve an answer, even if they had not been already answered a hundred times; the fact is, no one believes them to be serious. There is no decent argument for the interdiction of political meetings in the Park, which does not proceed on the assumption that political meetings are not a legitimate purpose to apply a public place to, and that it is, on the whole, a desirable thing to discourage them. I wish hon. Gentlemen to be aware what it is they are asked to vote for; what doctrine respecting the constitional liberties of this country they will give their adhesion to if they support the Bill. The opinion they will pledge themselves to is something like this — unfortunately the people of this country are so foolish that they will have the right of holding large political meetings, and it is impossible to take it from them by law; but that right, though necessary, is a necessary evil, and it is a point gained to render its exercise more rare by throwing impediments in its way. If hon. Gentlemen opposite would be candid, I am persuaded they would confess that this is a fair statement of what is really in their minds. It is proved by the arguments they use. They say that these multitudinous meetings are not held for the purpose of discussion, but for intimidation. Sir, I believe public meetings, multitudinous or not, seldom are intended for discussion. That is not their function. They are a public manifestation of the strength of those who are of a certain opinion. It is easy to give this a bad name; but it is one of the recognized springs of our Constitution. Let us not be intimidated by the word "intimidation." Will any one say that the numbers and enthusiasm of those who join in asking anything from Parliament, are not one of the elements which a Statesman ought to have before him, and which a wise Statesman will take into consideration in deciding whether to grant or to refuse the request? We are told that threatening language is used at these meetings. In a time of excitement there are always persons who use threatening language. But we can bear a great deal of that sort of thing, without being the worse for it, in a country which has inherited from its ancestors the right of political demonstration. It cannot be borne quite so well by countries which do not possess this right. Then, the discontent, which cannot exhale itself in public meetings, bursts forth in insurrections, which, whether successful or repressed, always leave behind them a long train of calamitous consequences. But it is said that it is not meant to put down these public meetings, or to prevent them from being held. No; but you mean to render them more difficult; you mean to impose conditions on them, other than that of keeping the public peace. Now, any condition whatever imposed on political meetings, over and above those by which every transaction of any of Her Majesty's subjects is necessarily bound—and any restriction of place or time imposed on political speech, which is not imposed on other speech—involves the same vicious and unconstitutional principle. Sir, I contend that all open spaces belonging to the public, in which large numbers can congregate without doing mischief, should be freely open for the purpose of public meetings, subject to the precautions necessary for the preservation of the peace. A great meeting cannot possibly be called together in London without the Government knowing of it before-hand, and having ample warning to have a sufficient force of police at hand to meet any exigency, however improbable. I must therefore oppose this Bill to the utmost.

MR. KER said, he thought that there could be no second opinion in the mind of any gentleman living within a radius of two miles of Hyde Park as to the necessity for the measure introduced by the Government. From time immemorial the Parks had been regarded as places of recreation and peaceful enjoyment, and if political meetings were allowed there it would be impossible for the public to take advantage of them for their legitimate purposes. He was glad to see that, though late, the Government had taken up the matter.

MR. OTWAY said he did not think the Parks were the most suitable places for political meetings; but he would vote for the Amendment of the hon. Member for Leicester, because the Bill contained two clauses the most objectionable that were ever submitted to the House of Commons. The 3rd clause infringed in the most direct and absolute manner the constitutional right of every inhabitant of the country. The Bill prohibited the people from holding meetings, but it permitted meetings under certain circumstances—if the permission of Her Majesty could be obtained—which meant, of course, the permission of the Government. Were hon. Gentlemen prepared to say that those who were about to express opinions in opposition to the Government should be prohibited from holding their meetings, while, if their opinions were favourable to the Government, they would be permitted to hold them? The 4th clause provided that any person convening, or aiding, or assisting in convening a meeting in contravention of this Act, whether such meeting was held or not, could, without warrant, be arrested, and, at the discretion of a magistrate, sent to prison. He felt it was impossible for the House of Commons to pass such a clause as that, which would render any hon. Member who wrote to his friend that he thought it desirable that a meeting should be held in the Park liable to be proceeded against as "assisting in convening" the meeting, and sent to prison. He agreed with the hon. Member for Leicester that this was not the time to bring forward such a measure. It was very well known that if the Government brought it forward at the time of their most lamentable administrative failure which brought them into such universal ridicule, there was not an hon. Gentleman on the Ministerial side, except those occupying the Treasury Bench, who would have supported it. ["Oh!"] Now, when the matter had toned down, was not that the time to ask the House of Commons to pass such a measure? He trusted the House would reject this Bill; if it passed it he was sure that in the new House a Motion would be made for its repeal; if he were returned he would move that Motion himself, and he was sure it would be carried by an overwhelming majority.

MR. J. HARDY said, all sensible people with whom he had conversed held that these meetings were idle and mischievous. The hon. Member for Leicester (Mr. Taylor) said that this Bill was intended to put down public discussion. He would not deny that he said so.

MR. P. A. TAYLOR: I do deny it.

MR. J. HARDY: Then you will deny anything. ["Order!"]

MR. OTWAY: I rise to Order.

MR. J. HARDY: He is returned by the refuse of a large constituency. ["Order!"]

MR. OTWAY: I rise to Order, Sir. I move that the words of the hon. Member be taken down.

MR. SPEAKER: The hon. Member has used an expression which is not in Order. He has stated that the hon. Member is returned by the refuse of a large constituency. When an hon. Member has been duly returned to this House that is not a proper way of describing his return.

MR. J. HARDY: I only meant that the hon. Gentleman included such among his supporters. ["Order!"]

MR. MONK: I rise to Order. I ask you, Sir, whether the hon. Gentleman has withdrawn the expression he used?

MR. SPEAKER: I understand the hon. Gentleman to say he accepts the Rule of Order laid down.

MR. J. HARDY: I do withdraw it, and I am sorry for having used it. He denied that this Bill was intended to put down public discussion. Only, when it was remembered that this metropolis included 3,000,000, and that the roughs were estimated at 50,000, if they were to be the camp followers of every meeting that was held, he thought it was a pity that they should be allowed to trample down and destroy the Parks which it cost the country so many thousands a year to maintain. He had no doubt that, if allowed on Primrose Hill, the meetings would die out as they did in Trafalgar Square, where it was disgusting to see the way in which the monuments were trampled under foot. As to the right of public discussion, he went to the Reform League meeting in May last, and there certainly was a great collection of people, but not one man in fifty took any part in the discussions that were going on. The people were walking over the Park, and he would allow that everything was carried on most orderly. He believed the Reform League were in very great fear lest anything disorderly should happen, and accordingly brought the proceedings to a conclusion as speedily as possible. It was simply ridiculous to think of discussing any question in an arena like Hyde Park.

MR. SAMUDA said, the right hon. Gentleman who introduced the Bill had spoken of Amendments of which the House had no knowledge. [MR. GATHORNE HARDY: They have been on the table for a fortnight.] No hon. Member seemed to know anything about them. He thought the most serious objection to the Bill was that power was given to hold public meetings if the consent of the Government had been previously obtained, while no such meetings could be held if the consent were withheld. Unquestionably, the holding of public meetings in the Parks was a great evil; but it was like many other necessary evils in the country. In his opinion, it was particularly objectionable that the Government should have the power of preventing meetings which might be unfavourable to them, believing that public meetings formed a safety valve calculated to prevent national misfortunes.

MR. DARBY GRIFFITH asked some information from the First Commissioner of Works as to the time when the Hyde Park railings would be finished, and who the contractor for them was? The announcement that the railings would not be completed until the end of next Session appeared to have created great dissatisfaction.

SIR GEORGE GREY said, the House considered the question at this disadvantage—that they were discussing a Bill on the second reading without having in their hands the precise terms which the Home Secretary had expressed his readiness to make. He knew that was not the fault of the right hon. Gentleman, but arose from a technicality; but it was desirable that hon. Members should have the opportunity of understanding the whole matter distinctly. It was most desirable that the power should exist of preventing these Parks being so appropriated as to interfere with the objects for which they were supported at considerable expense. He trusted that the right hon. Gentleman would, in the event of the Bill being read a second time, consent to its being committed *pro formâ*, in order that hon. Members might have time to consider its provisions. On that condition he should vote in favour of the second reading of the Bill.

MR. GATHORNE HARDY was willing to assent to the proposal of the right hon. Baronet.

MR. DENMAN said, he hoped it would be thoroughly understood that that undertaking went further than mere words. It was necessary to say this, because it was sometimes remarked that those who had assented to the second reading of a Bill without a discussion were pledged to its principles.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 181; Noes 64: Majority 117.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow*, at Twelve of the clock.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

SIR ANDREW AGNEW asked the Chancellor of the Exchequer, Whether he would order the Scotch Reform Bill, when committed *pro formâ*, to be re-printed before the end of the Session, as in its present form great misapprehension would exist about it in Scotland?

THE CHANCELLOR OF THE EXCHEQUER promised to place the Bill on the Paper for Monday; and, without intending to proceed with it in Committee, would do as the hon. Baronet wished, if possible.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) Question again proposed,

> "That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade."

MR. DARBY GRIFFITH suggested, that granting bounties might be an inducement to make captures rather rashly. He hoped that, as the African slave trade was nearly extinct, some reduction might be made in the expenses.

MR. E. C. EGERTON admitted that very large sums had been expended for the suppression of the traffic, which, he was happy to say, was now decreasing, so that the expenditure had not been fruitless. He hoped that his hon. Friend would not be too hard on Her Majesty's officers if they seized vessels which they thought were to be employed in the carrying on of the slave trade.

MR. KINNAIRD observed, that it was a most difficult duty which the officers engaged in the suppression of the slave trade had to perform, and it was only by the constant watchfulness of our cruisers that the infamous traffic could be prevented. If the Government relaxed the very necessary precautions which were now taken there would probably be a lamentable increase of the trade.

MR. ALDERMAN LUSK had no objection to payment by results, but the results of the last fifty years were very small indeed. According to the statistics which he had before him the health of the seamen on the West Coast of Africa appeared to be very little lower than it was upon the home station. In conclusion the hon. Member moved that the Vote be reduced by £5,000.

Whereupon Motion made, and Question proposed,

> "That a sum, not exceeding £19,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Bounties on Slaves, and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of Captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade."—*(Mr. Lusk.)*

MR. DARBY GRIFFITH said, that the system of bounties appeared to be a sort of blood money, which was hardly reconcilable with the honourable profession of arms.

MR. HENRY SEYMOUR thought that, the whole question of the position of the slave trade, and the method employed for its suppression, required the consideration of the Government. The system of bounties was good years ago, when large numbers of slaves were exported, but there was now no market for them, except in the dominions of our allies, the Sultan of Turkey and the Pacha of Egypt. There was no market for slaves any longer in Cuba, and therefore the trade on the West Coast of Africa must die out. There was no justification for keeping some of our best ships and officers, and sacrificing the lives of our seamen on the worst station to which the British navy was sent, if there were no slaves there. The slave trade, however, was still being largely carried on from the interior of Africa across the Red Sea and into the dominions of the Pacha of Egypt, and some change was consequently necessary in the means we adopted for the suppression of the traffic in that quarter. He should like to see the Consulate revived at Khartoum.

MR. CHILDERS thought that a very considerable reduction in the strength of the squadron on the West Coast of Africa might now be made. At the same time he was bound to say that the hon. Member for Finsbury was not accurate in the statement he made with regard to the comparative mortality on the coast of Africa and on the home station. The deaths on the coast of Africa were 57 per 1,000 annually; and the deaths on the home station were 5 per 1,000 annually. It was well known that the coast of Africa was frightfully dangerous. If the men were to forego their bounties and prize money, fresh conditions as to the engagement and entry of seamen would have to be made.

Mr. LABOUCHERE observed, that the existence of the squadron was the reason why slaves were not now sent to Cuba. There were slave brokers, however, there still, and some of the Spanish officials were willing to take bribes to allow the slaves to be landed. It always paid in Cuba to buy slaves, because the climate was so bad for them they soon died out, and the practice now was to work them out, and to renew the stock by fresh supplies when they could be obtained.

Mr. HENRY SEYMOUR thought that the observations of the hon. Member must apply to a state of things which existed in Cuba two or three years ago, but which had since been much changed in consequence of a movement now going on to liberate the slaves. The price of them had consequently gone down enormously.

Mr. LABOUCHERE said, if there was a liberation movement going on, it would be well to wait until it had taken place, before discontinuing measures for the suppression of the slave trade.

Mr. Alderman LUSK said, that if the coast of Africa were so extremely unhealthy, that circumstance constituted a reason for discontinuing the squadron.

Sir JOHN HAY confirmed the statement of the hon. Member for Pontefract, as to the relative mortality of sailors on the African coast and on the home station; and explained the small number of captures of slaves by stating that the vigilance of the squadron now generally prevented the slaves from being embarked.

Lord STANLEY said, he looked forward with some confidence to a not distant period when the squadron would become unnecessary. What had taken place in the United States had struck a very heavy blow at the system of slavery, and he was bound to say from all he heard, even as to Cuba itself, there was a change of feeling, and people had begun to doubt the policy or expediency of bringing in fresh negroes there. At the same time, he did not think it would be wise suddenly or at one blow to take away the establishment on the African coast. By doing that we should place a great temptation in the way of those persons who, at this moment, were beginning to see the mistake of their system, and to adopt a better one. He was as favourable as any one to the reduction of the squadron; at the same time, we were bound by treaties on the subject, and any violent transition was certainly not expedient.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

> "That a sum, not exceeding £6,450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves."

Motion made, and Question proposed,

> "That a sum, not exceeding £5,450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves."—(*Mr. Childers.*)

Motion, by leave, *withdrawn.*

Original Question again proposed.

Whereupon Motion made, and Question proposed,

> "That a sum, not exceeding £5,750, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves,"—(*Mr. Childers,*)

—put, and *agreed to.*

(3.) £124,188, to complete the sum for Consuls abroad.

Mr. MONK asked whether the offices of Consul General and the Judge of the Consular Court at Constantinople had been merged into one? He also inquired if the fees of certain small Consulships were still retained by the Consuls, or whether they were paid into the Treasury and the Consuls remunerated by a salary?

Lord STANLEY said, that in the case of all Consulates which had become vacant since the change of system as regarded payment, the fees were received by the Treasury and the Consuls were paid by salary. Since 1860 the fees received by the Treasury had increased from £4,400 to very nearly £18,000. Consuls appointed before the change was made continued to be paid in part by fees.

MR. LABOUCHERE called attention to the present system of paying clerks in the Foreign Office, who acted as agents to the Consuls, a certain percentage on their salaries. It was very much objected to by the Consular service, and it would be very desirable to have it abolished as speedily as possible. Under it between £4,000 and £5,000 a year found its way into the pockets of certain clerks in the Foreign Office.

LORD STANLEY said, he had, to a certain extent, investigated the subject with a view to an alteration, but as yet he had not been able to see his way clear to do so. It was not a system it would be desirable to establish if it did not already exist. He did not find, however, that it was so unpopular as the hon. Member had represented. Some of the Consuls considered it a convenience rather than otherwise, and he believed that complaints against it were few. It was a complicated matter, and he could give no pledge except that he would examine it again in the Recess.

Vote *agreed to.*

(4.) £103,983, to complete the sum for Services in China, Japan and Siam.

MR. ALDERMAN LUSK complained that the establishments in these countries cost a much larger sum than they ought to do, some of the salaries which were paid being very great.

LORD STANLEY: No doubt these services in China and Japan are highly paid for; but the Estimate has been gone through over and over again, and carefully revised, and I think I can affirm that the scale at which salaries are now paid is more a matter of necessity than of choice. It must be remembered that the Chinese coast is one of the most unhealthy to which a man can be sent; the mortality is great. There is the competition of mercantile houses, which in effect fixes the minimum of possible salary. There is the necessity of residing in a remote and disagreeable country. There is the necessity of studying the language, which is a labour no man will undertake except with the assurance of being employed. On the whole, it seems inevitable that work in China should be paid for more expensively than elsewhere.

Vote *agreed to.*

(5.) £26,000, to complete the sum for Ministers at Foreign Courts, Extraordinary Expenses.

MR. CHILDERS asked whether the time had not now come for placing the whole expenses in connection with foreign embassies in the annual Estimates? There may have been good reasons for the Civil List arrangements in former times; but, now that a considerable part of the Foreign Office expenditure was voted, there appeared no reason why the whole should not be. Besides, he saw no difference between the salaries of Ministers at home and abroad.

LORD STANLEY supposed the Committee would not expect him to give a definite answer to this question at once. It would be reasonable for him to ask the same question of his hon. Friend (Mr. Childers) who had been for some time in a position to make the change he asked for. He was quite ready, however, to examine into the matter at some future time, as it was a very fair proposition to make. But it was clear that the Foreign Office might take credit to itself for the way in which expenditure of this description had been kept down during the last five-and-twenty years. Our diplomatists were not more highly paid than during the last generation, although the price of living had risen throughout Europe, probably not less than 30 or 40 per cent.

MR. LABOUCHERE remarked that the reason these items did not appear on the Estimates was that formerly they were paid out of the Civil List of the Sovereign. He thought good reason existed for doing away with the anomaly complained of. What reason was there for an Embassy at Würtemberg or at Dresden? When he was at Dresden he found that the Ambassador had positively nothing to do; and being curious to see when anything had been done, he searched the archives and found that the last despatch home had been written in 1819.

Vote *agreed to.*

(6.) Motion made, and Question proposed,

"That a sum, not exceeding, £26,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for Special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers and others."

MR. POLLARD-URQUHART objected to the excessive item of £6,610 for Mr. Rassam's mission to Abyssinia. A friend of his had lived in Abyssinia for three years, and it had cost him only £1,000.

Mr. Alderman LUSK said, it would be better if some items of expenditure were not particularized. It would be unpleasant to the feelings of some persons to contrast the item "Expenses of investing the Kings of Portugal and Denmark and Grand Duke of Hesse with the Order of the Garter, £2,537 3*s.* 10*d.*" with the next to it, which set down £17 16*s.* 9*d.* for investing the Bey of Tunis with the Grand Cross of the Bath.

Mr. LABOUCHERE thought that special missions to carry out Orders to foreign potentates were relics of the past that ought to be put an end to.

Sir J. CLARKE JERVOISE moved to reduce the Vote by the item of £1,728 9*s.* 9*d.*, the expenses of the "British Medical Commission on Cholera at Constantinople." It was very doubtful whether it was wise to appoint this Commission, and as they had made no Report, the House had no knowledge from any results whether they had been to Constantinople at all.

Motion made, and Question proposed,

"That the Item of £1,728 9*s.* 9*d.*, for Expenses of British Medical Commission on Cholera at Constantinople be omitted from the proposed Vote."—(*Sir J. Clarke Jervoise.*)

Lord STANLEY said, the Commission was appointed before he came into office. As the East was the part of the world from which the cholera proceed to Western Europe, it was only natural to suppose that a Sanitary Commission to Constantinople would be useful. The Commission had not been idle, for he had received from time to time voluminous Reports from it. Before the end of the Session he should be prepared to lay everything on the table. At all events, the members of the Commission who had been sent out having done their work, it would be absurd now to refuse to pay what had been promised them.

Mr. LABOUCHERE believed that the Commission was sent out at the request of the Turkish Government.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(7.) £1,658, to complete the sum for Third Secretaries to Embassies.

(8.) £23,000, to complete the sum for Temporary Commissions.

(9.) £23,410, to complete the sum for Patent Law Expenses.

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £11,667, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Board of Fisheries in Scotland."

Mr. LAMONT moved that the Vote be reduced by the sum of £5,771 15*s.*, being the amount of the salaries and miscellaneous expenses of the Scottish Fishery Board for six months. The Board had all along been a nest of jobbery, and had never attempted to enforce the restrictions which it was desirable to maintain.

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £5,895 5*s.*, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for the Salaries and Expenses of the Board of Fisheries in Scotland." —(*Mr. Lamont.*)

Sir GRAHAM MONTGOMERY looked upon the Amendment as a proposal to abolish the Scotch Fishery Board, the duties of which would not be so heavy as they had been in consequence of an Act recently passed, but it would still have important functions to discharge. Long line and seine net fishermen were constantly interfering with each other, and the Fishery Board were better able to regulate such matters than officers of the navy or any other authorities. He thought that the fisheries of Scotland had very much benefited by the action of the Board.

Mr. Alderman LUSK was of opinion that, after the legislation which had taken place, the Fishery Board was of no use at all. He hoped there would be some reduction in the future charge under this head.

Mr. BLAKE supported the Vote. The Board had done good work in the promotion of the fisheries in Scotland. This had been shown very distinctly by the evidence of Mr. Primrose, the secretary of the Fishery Board, before the Committee of which he was a member, and he was much surprised that two Scotchmen were found to oppose the Vote.

Mr. LAMONT admitted, that the Scotch fisheries had prospered, but not in consequence of the action of the Board, but rather in spite of it.

Mr. HUNT said, that if the Board were abolished it would be necessary to repeal several Acts of Parliament.

Sir GRAHAM MONTGOMERY defended the Fishery Board, which had been most effective and successful.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(11.) £39,948, to complete the sum for Dues payable under Treaties of Reciprocity.

(12.) £1,700, to complete the sum for Inspection of Corn Returns.

Mr. READ said, that in consequence of the corn having passed through three or four hands before its price was returned, the averages considerably exceeded the price received by the growers. It would be preferable if the dealers were only to return the price they paid to the actual growers, and not that which they paid the intermediate dealers.

Mr. HUNT expressed a hope that the hon. Member for Norfolk would communicate with the President of the Board of Trade, with the view of suggesting a remedy for the evil complained of.

Vote *agreed to.*

(13.) £550, Boundary Survey, Ireland.

(14.) £416, Publication of Brehon Laws, Ireland.

Mr. MONK asked when this publication would be completed?

Mr. HUNT replied that it would occupy thirteen volumes, two of which would be published every year.

Vote *agreed to.*

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £2,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for encouraging the cultivation of Flax in the South and West of Ireland."

Mr. Alderman LUSK objected to this Vote, which was wrong in principle. It looked like a bribe to the people of Ireland. Unless the Government would give him a pledge to reduce it by £1,000 next year, he would move an Amendment.

Mr. MAGUIRE hoped the Government would not be deterred from continuing the grant which was not of the nature of a bribe; it was simply an expenditure incurred in order to teach the people a forgotten trade, from which the country would hereafter profit. There were several thousands of acres in Munster already dedicated to the growth of flax, and in Cork city at that moment there were 20,000 spindles at work.

Mr. HUNT submitted that in the present state of Ireland it was most important to encourage the growth of flax in the South and West of Ireland, as well as in the North, where it had conferred so many benefits on the country.

Mr. Alderman LUSK insisted that the Vote was indefensible, and very much like a job; he moved that it be reduced to £1,000.

Motion made, and Question,

"That a sum, not exceeding £1,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1868, for encouraging the Cultivation of Flax in the South and West of Ireland."—(*Mr. Lusk.*)

Mr. Alderman SALOMONS hoped his hon. Friend would not press his Amendment, as he would probably stand alone.

Motion put, and *negatived.*

Original Question put, and *agreed to.*

(16.) £780, Malta and Alexandria Telegraph and Telegraph Companies.

(17.) £10,000, Collection of Agricultural Statistics, Great Britain.

Mr. READ asked when the Returns for the present year would be published, and why the number of horses in Great Britain was not returned as was the case in Ireland? He thought the Returns should be made more trustworthy than at present, and include the correct acreage of the crops cultivated.

Mr. NEVILLE-GRENVILLE asked whether the Returns were all filled up?

Mr. BRADY said, an experienced farmer had told him that the Returns were useless, and that they would continue to be so unless made compulsory.

Mr. HUNT said, the Returns would no doubt be more complete if they were made compulsory instead of voluntary; but there was a great difficulty in the way of making them compulsory. This arrangement might, in fact, be considered only experimental at present. Since the cattle disease, however, the farmers had been more ready to make the Returns; but, as they were not yet in the form to be published, he could not say whether they were more complete.

Sir COLMAN O'LOGHLEN wished to know, whether the police could not be employed in England and Scotland as they were in Ireland in collecting this information?

Mr. STEPHEN CAVE said, that the Irish constabulary were a very different body from the English police. He did not think the farmers of England and Scotland would like to receive visits from the police in the place of the officers of Inland Revenue, who now obtained the statistics. It took some time to get these Returns in and to reduce them to a tabular form; but all depended on the willingness of the persons concerned to supply the information. The attempt to obtain these statistics was only made two years ago, and it was still to be regarded as an experiment.

Mr. READ wished to know, why horses were not included?

Mr. STEPHEN CAVE believed that the Returns this year included more particulars than last year, and it might be possible another year to obtain particulars of horses. The reason why they were not included was, that it was deemed advisable to proceed by steps.

In answer to Mr. Goldney,

Mr. STEPHEN CAVE said, that the expenses of the statistics were pretty equally divided between the officers of Inland Revenue and the postage and printing of the Returns. The officers of Inland Revenue devoted a great deal of time, and incurred considerable expense, in obtaining these Returns.

Vote *agreed to.*

(18.) £791, to complete the sum for the Household of the late King of the Belgians.

(19.) £791, to complete the sum for Miscellaneous Expenses formerly defrayed from Civil Contingencies.

Mr. MONK said, he observed an item in the Vote for £400 for Ross's *Parliamentary Record.* He presumed that was the publication which was to be found in the Library. If so, he thought it was a very inexpensive periodical, probably not costing more than 5*s.* or 10*s.* for the Session. He wished to know, how many copies were necessary for the public departments? He should scarcely think £400 necessary for it, as it contained remarkably little information.

Mr. HUNT said, that the arrangement for this work was made a few years ago. In consequence, he believed, of a memorial presented to the late Lord Palmerston by a large number of Members of the House, there had been a Vote towards Mr. Ross's *Parliamentary Record,* it being supposed that the sale would not cover the expenses of the publication. At that time arrangements were made, he believed, for supplying 200 copies for the public departments. He was not certain as to the number; but that arrangement had continued ever since.

Sir COLMAN O'LOGHLEN said, that this was one of the most valuable periodical publications they had in connection with Parliamentary reports. He took much trouble in looking up Parliamentary matters, and it was always to the *Parliamentary Record* to which persons first referred to find what they wanted. Its price was to be accounted for by the great expense attending its production; in its having to be entirely re-printed weekly, as the Session progressed, in order to keep up the necessary information required from time to time.

Mr. CHILDERS said, that the publication was brought under the attention of the Treasury on the strong recommendation of a number of Members of Parliament and gentlemen connected with the public departments, whose acquaintance with Parliamentary business had been greatly facilitated by the simple but satisfactory publication that went on throughout the Session. It was essential to the public Departments that they should have a certain number of copies; and he was bound to say that he thought this was a very economical expenditure for a purpose of this kind. He wished to know, what the Government intended to do with regard to a small Committee appointed some time ago to examine into the system under which fees were received and accounted for, especially on appointments?

Mr. GOLDNEY referred to the expense for robes, collars, badges, &c., for the Knights of the several Orders, and thought that that item ought to be included in the investigation which the hon. Member for Pontefract desired to be instituted.

Sir COLMAN O'LOGHLEN noticed an item of £27 2*s.* for repairs to the Speaker's State carriage in 1860 and 1861, and wished to know, why the Bill had remained so long unpaid?

Mr. HUNT could not say why the bill for the Speaker's coach was not paid before. Perhaps the credit was good, and the coachmaker did not send in his account. A small Treasury Commission had been appointed before the change of Government to inquire respecting fees chargeable on appointments to public offices, and they had not reported before the change took place. A short time ago the right hon.

Gentleman the Member for the City, who was on the Commission, informed him that they were prepared to make a Report. It was not a Royal Commission, and the question was, did it not lapse by the change of Government? Another Commission so appointed had lapsed, and it was arranged that this Commission should be also considered as having lapsed, and that the Gentlemen composing it should, in a statement to the Government, set forth what they were prepared to report. That would be as good as a Report, and when received at the Treasury would be carefully considered for the purpose of seeing if they could carry out any suggestion that had been made.

MR. ESMONDE called attention to the fact that gentlemen intending to be called to the Bar in Ireland paid a stamp duty there, which was supposed to be enough to cover the expense of the stamp required on account of certain necessary attendances in the Inns of Court in England. Nevertheless, the stamp duty was demanded from them in England, and then they had to go through some circuitous process to get the money repaid to them.

MR. HUNT said, he was not aware that that was the case, but the subject would be inquired into if the hon. Member sent a memorandum respecting it to the Treasury.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Thursday;* Committee to sit again *To-morrow,* at Twelve of the clock.

TURNPIKE ACTS CONTINUANCE BILL.

(*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth.*)

[BILL 232.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GOLDNEY wished that some definite statement were made on the part of the Government on this subject, and that Continuance Acts should be founded on some principle. At present they were wholly arbitrary.

MR. KNATCHBULL - HUGESSEN felt that this subject was one which could only be satisfactorily dealt with by the Government, and in a large and comprehensive spirit. He objected to Continuance Bills as a principle. It would be best to read the Bill a second time, reserving to the House power to alter its details at a future stage. He should allow his own Bill on the same subject to be withdrawn.

MR. LOCKE said, he would gladly have supported a Motion that this Bill be read a second time that day three months. Turnpike trusts appeared to be the most sacred institutions of the country, because there was the greatest difficulty in getting rid of any turnpike. He objected to these Continuance Bills.

MR. DODSON hoped that the time would arrive when all turnpikes would be swept away, but until that time arrived Turnpike Acts must remain in force, otherwise, the roads could not be kept in repair. The question was one for the Government to deal with, and he hoped that the right hon. Gentleman opposite would give his serious consideration to the subject, and would be prepared next Session to bring in a Bill dealing with the question as a whole.

MR. GATHORNE HARDY said, it might be desirable to abolish turnpikes at some future date; but the hon. and learned Member for Southwark should recollect in what condition most of the country roads were before the institution of turnpikes. None of the parishes would have been able to afford the expense of changing the roads from "soft roads" into the excellent highways they now were. In drawing up a scheme for the abolition of turnpikes, it was necessary to recollect that parishes had frequently no interest whatever in a road which passed through them for the accommodation of heavy traffic, passing perhaps between a coal-pit and wharf, and it would be hard upon parishes to compel them to repair such roads, from which they might not derive any benefit whatever. With regard to the loans upon turnpike trusts, Parliament had dealt with them as something more than mere temporary arrangements by providing for the future management of the interest upon them. To throw the expense of repairing the roads upon the parishes would in some cases more than quadruple the rates at one stroke. He agreed with the statement that if the subject were to be dealt with in a comprehensive manner the area of rating should be enlarged; but he hoped those who objected to the trust would put their objections on the Paper, so that he could look up the Papers in the cases raised and argue the matter fully. He promised to give the subject his serious attention during the Recess.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

COURTS OF LAW OFFICERS (IRELAND) BILL.

(*Mr. Attorney General for Ireland, Lord Naas.*)

[BILL 178.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read a third time."

SIR COLMAN O'LOGHLEN asked what had been done with respect to a memorial praying the Treasury to increase the salary of the Taxing Master of the Common Law Courts of Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON) said, the Returns called for in the case showed that the business of the office annually decreased, so that it was thought improper to make the increase asked for.

MR. MURPHY pointed out that the Returns of business done were inaccurate, because only those cases in which duty or taxation was paid were returned.

Motion *agreed to.*

Bill read the third time, and *passed.*

COUNTY COURTS ACTS AMENDMENT BILL (*Lords*)—[BILL 212].

COMMITTEE.

Order for Committee read.

Clauses 1 to 4 *agreed to.*

Clause 5 (Costs not recoverable in Superior Courts where less than £20 on Contract or £10 on Tort).

MR. AYRTON asked whether the provisions contained in it were to apply to the Westminster Courts only, and not to other courts where high rates of costs were in vogue?

THE ATTORNEY GENERAL said, it would be necessary to make very extensive inquiries in order to ascertain in what Courts the higher scale of costs prevailed, so that it was thought expedient to confine the operations of this Bill to the London Courts.

Clause *agreed to.*

Clause 6 *agreed to.*

Mr. Gathorne Hardy

Clause 7 (In certain Cases Judge of Superior Courts may order Cause to be tried in County Court).

MR. NEWDEGATE observed that the purpose of this Bill was to increase the jurisdiction of the County Courts. There was also another Bill before the House providing for compensation being granted for the abolition of certain offices in Manorial Courts. If it were the pleasure of the House to increase the duties of these persons, surely they had a right to present their claims and show the additional duties that would be cast upon them. The retiring allowance they were to receive was calculated on the smaller scale upon which they were now remunerated; and if Parliament went on increasing jurisdiction it would be right that the salaries of the officers should be increased in proportion, and their retiring allowances in a corresponding ratio.

SIR ROUNDELL PALMER thought that no encouragement should be given by the House to the maxim, that if it should be found necessary to re-adjust the duties of the officers of certain Courts, therefore the salaries should be re-adjusted. It was proper that all officials should be adequately remunerated, and if existing remuneration was inadequate, that might form a ground for seeking an increase of salary. It ought to be generally understood that gentlemen who accepted these offices were bound to perform the duties which Parliament might impose upon them. While he desired that they should be fairly remunerated, he protested against making every measure which gave them new jurisdiction an occasion to increase their salaries.

MR. NEWDEGATE begged the Committee to remember the restriction of plaints coming before the County Courts in the first instance, and to consider that in some cases a man was called upon to abandon all private practice.

THE ATTORNEY GENERAL said, that the registrars gave up the whole of their time to the performance of their functions; but he agreed with his hon. and learned Friend that if Parliament thought fit to increase their duties it was hardly fair to come to that House and claim additional salary. Fresh duties were constantly imposed upon the Judges of the Superior Courts, but no claim for additional salary was ever made by them. At the same time additional duties had been thrown upon the registrars, and the subject had been brought under his consideration in consequence of an application made by them. Under the Act of Parliament a discretionary power was given to the Lord Chancellor, and it was only fair that when additional powers were thrown upon the registrars they should have an additional salary if it were thought right by the Lord Chancellor to give it to them.

Clause *agreed to.*

Clause 8 *agreed to.*

Clause 9 (Suits in which Jurisdiction under 28 & 29 *Vict.* c. 99 may be exercised).

MR. AYRTON thought that the clause might be omitted. In point of fact it proposed to exclude the great body of the people from obtaining justice in the Superior Courts, and compelled them to have recourse to the County Courts. The clause, in his opinion, was so objectionable that he should move to have it struck out.

SIR COLMAN O'LOGHLEN hoped that the Government would persevere with this clause, believing it to be one of the most important clauses of the Bill. The object of this provision was to prevent those frivolous and unfounded claims being made which under the present system were so often made the subject of actions in these Courts.

THE ATTORNEY GENERAL was of opinion that the clause would be found a useful provision. It was a common practice in respect to the offences named in the clause for an attorney to bring an action for the plaintiff, and the defendant was mulcted in a considerable sum of money, as the plaintiff in many a case, was unable to pay the costs. The Judge might be trusted not to make the order for security, if he saw that there was reasonable cause for action.

MR. AYRTON asked whether the Attorney General would consent to introduce into the clause words signifying that security for costs should not be required in case the Judge was satisfied that the cause was a proper one to be tried in a Superior Court of Law.

THE ATTORNEY GENERAL consented to the introduction of the words.

Clause, as amended, *agreed to.*

Clauses 11 to 23, inclusive, *agreed to.*

Clauses 24, 25, and 26 *postponed.*

Clauses 27 and 28, *agreed to.*

Clause 29 (Repeal of so much of 3 & 4 *Vict.* c. 110 as enables Loans to be Recovered before Justices).

MR. OSBORNE moved the omission of this clause, on the ground that it struck at the root of all the loan societies, which were so great a convenience to the working classes. No less than £500,000 was in the hands of the borrowers, from these societies, for which interest was paid at the rate of 6 per cent.

THE ATTORNEY GENERAL consented to the clause being struck out.

MR. BRADY said that the loan societies which the hon. Member had praised so much had been the ruin of many an honest hard-working artizan as they extracted 40 or 50 per cent from the borrower.

MR. NEWDEGATE said, if loan societies were bad things the Government might bring in a Bill to abolish them, but there was no necessity for worrying them by increasing their law expenses.

Clause *negatived.*

Clause 30 (Repeal of Enactments in Schedule (C.).

MR. MONK said that this clause proposed to abolish the power of County Courts to imprison for debt. He thought such an alteration in the law would operate very hardly upon the poor, who would be unable to obtain credit if it were effected.

THE ATTORNEY GENERAL said the hon. Gentleman had entirely misunderstood the effect of the clause, which did not abolish the power of the County Courts to imprison for debt.

Clause *agreed to.*

Clause 31 *agreed to.*

Clause 32 *postponed.*

Clause 33 *agreed to.*

House *resumed.*

Committee report Progress, to sit again *To-morrow.*

DISTRICT LUNATIC ASYLUMS OFFICERS (IRELAND) BILL—[BILL 242.]

(*Lord Naas, Mr. Attorney General for Ireland*)

COMMITTEE.

Order for Committee read.

MR. BRADY suggested, that a clause should be introduced providing that the taxation for these institutions should be divided between landlord and tenant.

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Power to Lord Lieutenant in Council to determine Staff of Officers and Servants of District Lunatic Asylum).

In answer to Mr. Brady,

Lord NAAS said, the question of taxation did not in any way arise in the Bill, and it would be impossible to deal with so large a question under it.

Clause *agreed to.*

Clause 3 (Appointment of Resident Medical Superintendent and Visiting Physician and other Officers and Servants).

Mr. MURPHY moved the omission of the words "or visiting physicians." By this clause power was given to the Lord-Lieutenant, when vacancies occurred in these asylums, to appoint a resident medical superintendent or visiting physician. He thought the gentry resident in the locality would be the best parties to choose the name of the latter officer, to be sent to the Government for approval.

Lord NAAS was prepared to give way to the hon. Gentleman's suggestion.

Mr. MURPHY moved an Amendment to exclude the district asylum for the city and county of Cork, with the view of proposing the addition of a clause giving to the board of governors of that institution the power of appointing their own officers.

Lord NAAS opposed the Amendment on the ground that the Cork Lunatic Asylum did not differ from others in Ireland, and therefore ought not to be excepted.

Mr. MURPHY would not trouble the Committee to divide.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

Bill *reported;* as amended, to be considered upon Friday, and to be *printed.* [Bill 269.]

House adjourned at Two o'Clock.

HOUSE OF LORDS,

Tuesday, July 23, 1867.

MINUTES.]—Public Bills—*First Reading—* Industrial and Provident Societies* (253); Courts of Law Officers (Ireland)* (254).

Second Reading—Representation of the People (227), adjourned debate *resumed.*

Committee—Vaccination* (239); Naval Stores (No. 2)* (234).

Report—Naval Stores (No. 2)* (234); Sir John Port's Charity* (206).

Third Reading—Trades Union Commission Act (1867) Extension* (243), and *passed.*

REPRESENTATION OF THE PEOPLE BILL.

THE DEBATE. PERSONAL EXPLANATION.

The Earl of CARNARVON: My Lords, I desire, in a very few words, to call the attention of my noble Friend the noble Duke (the Duke of Marlborough) to a statement which, though I did not so understand him at the time, he is reported to have made last night, but which I am sure he will, on my explanation, feel was not consistent with the fact. My noble Friend the noble Duke, in the remarks he made in answer to what had fallen from me, is reported to have said that the Bill which was called "the Ten Minutes Bill," in which a £6 rating franchise was proposed, was introduced at my suggestion. My Lords, I do not know upon what authority the noble Duke stated this; but I wish clearly to say for myself, as I have said before, that though I acquiesced in the intention of bringing forward that measure, my acquiescence was a reluctant acquiescence; and I certainly was not, in any sense or in any degree, the author of that "Ten Minutes Bill."

The Duke of MARLBOROUGH: What I was reported to have stated to your Lordships was, that the noble Earl who has just addressed us proposed a Bill which has been designated "the Ten Minutes Bill." I was misreported in that respect. I did not state that the noble Earl proposed that Bill; what I did state was, that the Bill was proposed in order to meet the views of the noble Earl, and those of his Colleagues who left Lord Derby's Government, and consequently that he was a party to and approved that measure.

The Earl of CARNARVON: That Bill, as I distinctly stated on a previous occasion, was neither in accordance with my own views nor with the views of those of my Colleagues who seceded from the Cabinet.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—(No. 227.) (*The Earl of Derby.*)

SECOND READING.

DEBATE RESUMED. SECOND NIGHT.

Order of the Day for resuming the adjourned Debate on The Earl Grey's Amendment on the Motion for the Second Reading read; Debate resumed accordingly.

THE EARL OF SHAFTESBURY: My Lords, it is somewhat difficult to argue against a Bill which we do not wish to reject, and which it seems next to impossible that we can amend. It seems useless, moreover, to complain of a measure when we have no prospect of any favourable result. Nevertheless, the Members of a constituent branch of the Legislature are bound, I think, to express their opinions upon this Bill—the opinions which they sincerely and conscientiously feel, and not allow ourselves to be reduced to the condition of a mere office of registration. I was very anxious to hear from my noble Friend, who propounded this measure, some statement of his views, not only as to its causes, but as to its consequences. I was anxious that he should do something to allay the fears that exist, to calm the troubles which prevail, and to give us some assurance that, in his conviction at least, great and manifold benefits are to result to the country from the passing of this great act of legislation. I heard, however, nothing of the kind from him; I heard only the one stout assertion that this measure was so Conservative as to leave no grounds for apprehension. Now, that expression was, I must say, alike comforting and astounding; but when I listened to the speeches of other Members of the Government, who, I hoped, would supply the deficiencies of the noble Earl, I heard nothing of the kind. Indeed, the greater part of the debate consisted, with some exceptions, in the endeavour to set up one Bill against another, one Cabinet against another, one Minister against another, all which had no bearing on the great question before us—namely, the Bill we have to consider, and all the mighty consequences that are to accrue from it to the present and to future generations. Now, I think we are bound to look this question fully in the face. The opinions I hold may, no doubt, seem to some exaggerated; but I am sure that those opinions are shared by many thoughtful and intelligent men, and all I can venture to say is, that they are the result of much thought and long experience; that they are conscientiously and honestly entertained; and that I think they ought to be fully stated, and as fully confuted. My Lords, this Bill comes to us under very peculiar circumstances. It comes to us from the House of Commons without a division upon the second reading — without a division on the main principles—the household suffrage and the lodger franchise—without a division upon the re-distribution clauses—without a division on the third reading. It is therefore, in appearance, whatever it be in reality, the unanimous expression of the opinion of the House of Commons, and as such entitled to homage and respect. It was elaborated during a period of six months by the House of Commons; to us will be allowed for its consideration about six days. It is impossible, therefore, to discuss the principle of the Bill in its fullest extent. We cannot consider all the various plans of Reform, and then select the one best adapted to the necessities of the country. We are shut up to the four corners of this Bill, to say whether it be good or bad; and I should not have ventured to trespass upon your Lordships' attention had I not felt—though this, perhaps, is one of the exaggerated opinions which I may hold—that this is one of the last opportunities we shall have of expressing our opinions in a free and independent Parliament, uncontrolled by the presence of a powerful democratic assembly. Now, I do not entertain any hostility to Reform —very far from it. I have long been of opinion that Reform, though not necessary for good government, had become indispensable; indeed, inevitable. It is not necessary to enter into the various causes which have made it so; but I readily admit that some measure of Reform was inevitable. I should have wished, however, to proceed more carefully and gradually. I should have wished to hold up the suffrage as a great object of ambition to the working man; I should have wished to hold it up as the reward of thrift, honesty, and industry. We have examples before us of what may be done by working men. If we turn to the Potteries, we there see a large body of intelligent men, who, by their own act, by their own thrift and industry, have raised themselves to the possession of the suffrage. There are in that district about 9,000 potters; men in the receipt of high wages; and I am told that very nearly 3,000 of these by their own industry and care have purchased their own freehold, and are now living in their own houses. Those 3,000 working men by their own act have done that which every working man in the receipt of good wages might have done had he been so inclined. That is, to a considerable extent, my notion of Reform; but I would have gone further. I would not have kept the suffrage at £10. I would have taken it as low as the Bill of last year proposed—namely, to £7, and on this ground—that though working men are able, in many instances, by their own efforts to reach the line of £10, we must recollect that there are differences of position. A man with a family earning £2 a week is not in the same position as a man without any family with £2 a week. To meet that difference I should have been glad to bring down the limit to £7, and surely the addition of thousands of such men would be an honour and a security to the kingdom. In this respect I have always been a very considerable Radical. A Radical I am now, and a Radical I shall be to the end of my days. That of all things which I most rejoice at is to see the working man rising by his own industry and exertions from the lowest point in the scale of society to the very highest point; and if a man whom I had known as originally a chimney-sweeper filled the office of Prime Minister of this country, I should see in that one of the noblest proofs of the freedom and generosity of our institutions, and of their possessing a breadth and expansion that we ought to assert, in spite of all contradiction. But to proceed, as is done by this Bill, to lift by the sudden jerk of an Act of Parliament the whole residuum of society up to the level of the honest, thrifty, working man, is, I believe, distasteful to the working men themselves. I am sure it dishonours the suffrage, and that you are throwing the franchise broadcast over the heads of men who will accept it, but who will misuse it. Do not let us say anything in the spirit of recrimination—God forbid that I should speak in that spirit when our nearest and dearest interests are at stake—I have no charge to make against one side or the other. It may have been perfectly right for the late Government to introduce a measure of that nature into the House of Commons; it may have been perfectly right for the present Government to oppose it by every means in their power, to turn out that Government, to take their offices, and then to bring in a measure ten times more sweeping; it may have been perfectly right in the present Opposition in the House of Commons to declare that measure to be too extreme, and yet by every means in their power to prevent any limitation to it; but the measure proposed by Mr. Gladstone would, at least, have had this one beneficial effect—it would have been a gradual change; it would have given us something like breathing time; it would have given us time to accommodate the people to the change and the change to the people. The transition might not have been agreeable, yet it would have been comparatively easy. But this measure proceeds in a rough-and-ready way to carry us to the edge of the Tarpeian rock,—it topples us over like criminals, and future generations will have to estimate, by the magnitude of the fragments, what were once the dimensions and the glory of the British Empire. We are brought to household suffrage as near as possible, pure and simple, because the payment annexed to it is the very smallest payment that could well be selected. We are told that the Government came to household suffrage because they were quite sure to come to it at last. Now, there can be no doubt about that. No thinking man conversant with the state of things in this country, no man seeing the progress of opinion, and seeing how the notions of social and political equality are rapidly developing themselves, could have had any doubt whatever that in the course of a short time we must have come to the point at which we have now arrived. But why are we to jump out of the window when we can go safely downstairs? Why are we to take all at once, as was remarked by Lord Chesterfield, that peck of dirt which should be diffused over our whole life? We could have safely arrived at the same end with equal contentment to the people. I believe the measure proposed by Mr. Gladstone, however extreme it might have been according to the notions of that time, would have been accepted by the people, and that they would have been contented with it. Now, this present measure will be accepted, but not with contentment; and this conclusion will afford a convincing proof that no party should undertake to carry those measures which they have long and persistently opposed. It should be left to those who have long, ardently, and conscientiously maintained them; and that, I am sure, is the only way of giving satisfaction to those for whose benefit a measure is intended. But, then, we are told that household suffrage is the only definite and permanent resting-place. A resting-place, I would ask, in what sense? I agree with my noble Friend (the Duke of Marlborough) that there can be no finality. We are not contemplating a final measure, but only a short period of repose. Now, I hold that this is no resting-place whatever. The suffrage is not an end, it is only a means to an end, and whenever you read the periodicals of the day, or listen to the speeches delivered on the platform, in every instance you hear that the suffrage now obtained must be used for definite purposes which are described—purposes that cannot be reached under the existing system. Look, my Lords, to what happened when the last Reform Bill was passed. Was the suffrage of 1832 a resting-place? Was it not used for the purpose of obtaining the great remedial measures which have been passed since that time? Far be it from me to say that the legislation between 1832 and the present time has not been of the noblest, the most beneficial character. Ten thousand encumbrances and obstacles have been swept away, and the country is deeply indebted to that Bill for what has been done. But the suffrage now must be employed on very different matters. Between 1832 and the present time almost every commercial and political impediment and difficulty has been removed. There remain now but organic changes, but social changes—the distribution of property and the incidence of taxation. These are serious matters that deeply and intimately affect the feelings of the great mass of the people of this country. Now, my Lords, I wish to say that this household suffrage is not a resting-place even for the suffrage itself, not merely in the sense of finality, but even in the sense of repose. The measure before you goes a very great way indeed, but the arguments by which all the parts of it have been sustained go a great deal further. In the first place, I must recall to your Lordships' recollection a famous declaration made by Mr. Gladstone, when Chancellor of the Exchequer. Two years ago, I think, Mr. Gladstone made a great declaration—that every man of mature age, and not tainted by crime, had a moral right to the suffrage. [Earl RUSSELL indicated dissent.] Of course, I shall withdraw the statement if incorrect, but certainly such was the impression upon my mind. [Lord LYTTELTON: Without political danger.] Without political danger. Yes; well that comes very near the point. But last year, I think, there was a declaration that flesh and blood was entitled to a vote, and this year the Chancellor of the Exchequer confirms all that by saying that the present Bill is for the purpose of restoring to the people the rights that have been taken from them. Now, my Lords, I must say that the result of all this has been to infuse into the minds of the people—and depend upon it you will never disabuse them of it whatever you may say or do—the notion that the elective franchise is a right and not a trust. I would hardly trust myself to say to what extent the issues of that notion may be pushed. That the elective franchise was a trust was a doctrine of an elevating character; now that you say it is a right, I cannot see how it is possible to remain within the four corners of the Bill which you have propounded. I heard last night a remark which comes very much in aid of that view. My noble Friend went thus far; he said that the Bill was introduced in order that there might be no class left in England dissatisfied with the suffrage—that one great object of going so low was that no condition of people may be dissatisfied with the state of things. Well, my Lords, having laid down this principle, that the suffrage is a right, I hold that you have also laid down the great principle of universal suffrage; but, when you come to the lodger franchise, see how it will work upon the whole system. The lodger franchise assumes this principle; it contemplates the voter simply as a man, and not as a man in connection with the duties of a citizen. It contemplates the voter as a man who, having a certain income, is disposed to spend a portion in a certain way—that is to say, £10 a year for a room in which to lodge. That man has none of the duties of a citizen to fulfil. He is not under the necessity of paying rates, he has not to serve as a juror, or discharge any of the duties which fall to the lot of the householder or ratepayer. Just see how this will work. Take it in the first place in the capital and the great towns. You can form no notion whatever of the numbers that will be added to the register in London and the great towns by the lodger clause. You are going to build in the dark; you are laying down a principle of the most expansive character, so expansive that there is no human force that will be able to control it. I am not going to trouble your Lordships with statistics, but to give merely a few simple facts. There is a district which I know containing 144 houses; it now furnishes fifteen voters to the register. By this lodger franchise there will be furnished ninety-seven—that is more than six times the present number of voters upon 144 houses.

THE EARL OF DERBY: I beg my noble Friend's pardon; do I understand him to say that in these 144 houses there are ninety-seven persons who permanently occupy these lodgings from year to year, and will therefore be entitled to be put on the register under the Bill?

THE EARL OF SHAFTESBURY: I wish that my noble Friend would wait a while; I was going to say what the condition of London and the great towns was in this respect. I was going to say that you will find in London many single houses containing many lodgers all fulfilling the conditions of paying at least £10 a year. Therefore, you can have no conception at present of the numbers that will be put upon the register under the conditions of the lodger clause. These persons are generally married men with families who occupy one or two rooms. But when you come to the other class, the great mass of unmarried men, who are lodgers, you will see how wide the principle is, and how necessary it will be that you should expand it so as to admit the large body of men who are not paying £10 a year. Bear this in mind, that a great number of the young unmarried men, many of them in the prime of life, active, intelligent, and earning wages of from 25*s.* to 40*s.*, and even 50*s.* a week, will not come under the category of those who rent a single room at £10. A great number of foremen and superintendents are in that condition, but few others. Now, I am ready to admit that the lodger franchise will be very useful in London, because it will admit to the register a number of highly competent persons — bankers' clerks, literary and scientific persons, many who pass their days at clubs, and others in a similar position. But, numerically, they will be infinitely below the others that will be admitted. Now, of the young men that I have referred to, many live two or three in one room, paying for it 1*s.* 6*d.* or 2*s.* a week. Do you suppose when the register comes to be filled up, and the time arrives for the claim to be made, that these young men, finding themselves excluded when others not one hair's breadth above them in social and financial position, and in many cases in the lowest condition as regards education, are put on the register merely because they occupy an entire room to themselves—do you suppose, I say, that these young men will not feel the greatest possible dissatisfaction and discontent? Believe me, my Lords, there will be no end to the agitation that will be excited by them and their friends to have the amount of the qualification reduced. The Reform League has said that unless you reduce the qualification to 2*s.* 6*d.* a week you will exclude the very pith and marrow of the country, and I believe in many respects that is true, and that you will exclude the young unmarried men to whom I have referred, though in the prime of life, intelligent, and in the receipt of excellent wages; I believe it will be perfectly impossible to resist the claim that will soon be made on their behalf. But if you reduce the qualification to 2*s.* 6*d.* for those that will not pay more you reduce it to 2*s.* 6*d.* for those that cannot pay more. You will thus flood the towns with a number of voters totally different in character and position from the class you have selected. I know it is the fashion to say that this lodger system is almost peculiar to London. There is no doubt that it prevails more in London than in any other town. In the great manufacturing towns of Lancashire and Yorkshire married people live much more in houses of their own; but the unmarried far exceed the number of the married, and many of them live in lodgings, particularly those of the poorer sort. I will go even further, and say that statements have been made to me from country and provincial towns which show that the number of lodgers is far greater than you suppose, and I am certain you will never know the whole number with which you will have to deal until the registers are formed and their names are placed upon them. You can form no conception of the career upon which you have entered in adopting this lodger franchise. Yet, having adopted it, both that and household suffrage are absolutely beyond your recall, and, I believe, are not to be controlled. The decree once passed must be carried into effect, however uncertain the prospect, and however great the danger. In my opinion it bears us far on towards universal suffrage, and a great many people share that opinion. You see this by all the efforts and contrivances resorted to, in order, if possible, to prevent the preponderance of one class over another. If one thing was emphatically promised to us, it was that nothing should be done which should in the least degree give one class a predominance; but I think that you will find that a predominant voice has now been given. Argue as you will you cannot disprove this fact except by figures, and the more you examine into figures the more clearly you will see that in every instance the number of additional voters called into existence by the Bill will be equal to that which exists already, while in a great many boroughs the number will be increased three, four, and five fold. Surely such an increase as this brings us into the presence of the democratic influence, and will give to one class such a predominance in the House of Commons that the voice of the minority will be almost extinguished there. It was to avoid such a result that an attempt was made to introduce cumulative voting and unicorn boroughs, that Mr. Stuart Mill addressed to the other House his able but unintelligible argument upon the representation of minorities, all which shows a strong impression that democratic views will preponderate, and that something must be done, however weak and feeble, for the purpose of resisting that mighty power. It may be that democracy will prevail, and, if so we must submit to it. It has its advantages. All forms of Government have their virtues as well as their evils. But our business is now to consider, not what are the virtues, but what are the evils of democracy. Now, I venture to say that the suffrage we are about to give will produce such effects as those which I shall endeavour to lay before your Lordships. I cannot but think that the democratic influence in the House of Commons, and the preponderance given to the representatives of that class of men, will in time act in a most dangerous way against the old-established and organized institutions of the country. I believe that it will act prejudicially to the Church of England. I cannot believe that the representatives of those who are in a great measure so unacquainted with the Church of England and with its benefits will have any friendly feeling towards the Church of England. When we come to look at the House in which I have now the honour to address your Lordships, I ask how it will be affected by this great democratic change? So long as the other House of Parliament was elected upon a restricted principle, I can understand that it would submit to a check from such a House as this. But in the presence of this great democratic power and the advance of this great democratic wave, which is rolling on even in spite of itself—for I believe its rapid advance is against the wishes even of many of those who give to it a considerable amount of its impetus—in such a presence it passes my comprehension to understand how an hereditary House like this can hold its own. It might be possible for this House, in one instance, to withstand a measure if it were violent, unjust, and coercive; but I do not believe that the repetition of such an offence would be permitted. It would be said, "The people must govern, and not a set of hereditary peers never chosen by the people." Is not what I am now saying very much in accordance with your Lordships' own observation? Are we not living in a time in which nothing is taken for granted? Everything must be ripped up to its first principles, and in vain you argue that a thing is good; your adversary admits it, but says that a change will make it better. What human institutions can stand such tests? Thus it is that we are going on at the present day. It has occurred to me for a long time, and I am certain it is true, that we have in a great measure outgrown our institutions. There is an expansive force among the people. The advance of wealth, the increase of education, the capacity, or at least the ambition, that every man now feels to occupy a higher station than that in which he has been placed by Providence — all these things tend to make men dissatisfied with the institutions of the country, because they fancy themselves cribbed, cabined, and confined by the restrictions which those institutions impose. I am not afraid of democratic violence; I believe that the changes which we should all deprecate will rather be brought about by stealthy progress of legislation. I do think we shall be put out not by any turbulent, violent acts, but with all the gradation and elegance of a dissolving view. The country may have a respect for its old institutions, but there the feeling ends. There is no longer any great spirit remaining to defend its institutions at any cost of safety, or of peace. Behind this, however, there lurk other questions of greater and more serious importance, as far as the country at large is concerned. There are many social questions to which the suffrage will be directed—questions in respect of Free Trade and Protection, of capital and labour, of wages and the relations between employers and employed; of claims now made by thousands to have a much larger share than at present falls to them of the profits of their toil and of the capital which they help to accumulate, with all the various notions of the distribution of property. Wherever you go you cannot but hear these remarks. You hear them in the various speeches made to the working men; you find them in the discussions of the working classes themselves. Let me read a passage which will show your Lordships the feeling that is growing up in America, and if in America why not here? In *The Times* of July 11 there was an able letter "from our own correspondent" in the United States, and in that letter I read this very remarkable narrative—

> "Mr. Wade, President of the Senate, has been making a tour west, in the course of which he indulged himself in some extraordinary speeches. In Kansas, he said that, the slavery question being disposed of, that of labour and capital would next demand the attention of the country. 'Property,' he said, 'was not equally divided, and a more equal distribution of capital must be wrought out. That Congress, which had done so much for the slave, cannot quietly regard the terrible distinction which exists between the man that labours and him that does not.' He went on to argue that the Almighty 'never intended' that one man should work while another feasted in idleness. The position (the writer goes on to say) which Mr. Wade holds in the Radical party gives these opinions a weighty significance, and they are a striking commentary on the perverse statements of the philosophers abroad who contend that this is the country of universal content, and that jealousies of class are unknown. We may have a 'Re-distribution of Property' party before many years are over."

I wish to call the particular attention of your Lordships to this, because it is a man of eminence in the United States who lays down these principles. With the strong resemblance between the two countries, the frequent intercourse and interchange of ideas, and the fraternization which takes place between the two peoples, may we not expect that what is going on in America will be imitated here, and that we shall come in this country to the assertion of similar principles and the agitation of similar questions? Let me observe that such opinions may be expressed and acted on by large masses of the working people—and here I am speaking of what I know — in no spirit of spoliation. I know that a large proportion of the working classes have a deep and solemn conviction—and I have found it among working people of religious views—that property is not distributed as property ought to be; that some checks ought to be kept upon the accumulation of property in single hands; that to take away by a legislative enactment that which is in excess, with a view to bestow it on those who have insufficient means, is not a breach of any law, human or divine. I am certain that many entertain these opinions. I am certain also that in times of distress and difficulty these opinions, urged upon them by any great demagogue, or by any person of power or influence among the people, would take possession of their minds and sink deeply into their hearts; and if they had power through their representatives to give expression to those principles, they would do so speedily and emphatically. But this measure would lead to other and certain evils. It is curious to find an hon. Gentleman in the House of Commons, who, until lately, had no strong opinion in favour of the ballot, now declaring that he should support it by every means in his power because it will be necessary now to protect mob against mob, people against people; there is no longer any fear of intimidation from rich manufacturers, rich capitalists, rich lawyers, or rich anybody else; the danger to the people is from themselves, and they must be protected from themselves. I fear that, among other things, we shall soon arrive at the institution of triennial Parliaments, and with them we shall have all the various evils of frequent elections, and thus, with frequent changes of Members we shall give the final stroke to the contemplated perfection of the House of Commons. As a counterpoise to all this we have a certain amount of securities, some of them in the shape of enactments, and some in the shape of hopes. We are told, in the first place, that this is essentially the same Bill that was first introduced into the House of Commons. It is very true that if you take a man and divest him of shoes, stockings, pantaloons, coat, and shirt, he is essentially the same man, but you have deprived him of everything which gave him decency and protection. In a great measure, that is the case with this Bill. Now the first provision is that the householder shall have paid the rates levied for the relief of the poor, and shall have resided twelve months. With regard to the personal payment of rates, I think the argument of my noble Friend (Earl Grey) last evening, that personal payment could not be universally insisted upon, was unanswerable. I am certain, from what I know and have heard, that if you insist upon personal payment of the rate, you will exclude so very many from the suffrage, that you will hardly increase appreciably the constituency of London. Abolish the payment of rates, and you will flood the register with such a mass of abject poverty, that you will be appalled at the result. Residence, if insisted upon, is, in many instances, a guarantee of respectability to a certain extent; but it is not so in every case, and I know many instances to the contrary, many in which a tenant has resided a year simply and solely because he has not paid his rent, and because the landlord would not turn him out, fearing that if he did, he would lose his rent altogether and not get a better tenant. Residence, no doubt, to a certain extent, is a test of respectability; but, at the same time, I will undertake to say that the 80 out of 97 persons living in the houses I have spoken of will be put upon the register if they choose, having resided in them for more than a year, and yet they will not be more than a hair's breadth above the condition of paupers. It is said that men must demand to be put upon the register, and that appears to be in some measure a security; but I doubt very much whether it is one. The sending in of claims will be attended to by caucuses and agents, if it is in the interest of any party that it should be done. If any one is interested in securing the honour of representing a constituency he will take good care that due preparation is made for the election; and, whether demands have been made or not, that those who are qualified shall be placed on the register, if they will subserve his interests. These are pretty nearly the securities given us by this Bill; but we have a number of other securities in the form of hopes. I heard from the opposite side of the House last night, and I have often heard it in private conversation, that this is a most Conservative measure. I have heard it said that the middle classes are not Conservative, but that if you go deeper you get into a vein of gold, and encounter the presence of a highly Conservative feeling. In the first place, I ask, is that so? And in the second place, what do you mean by the term Conservative? Do you mean to say that this large mass they call the "residuum," of which I venture to say that few men living have more knowledge than I have, is conservative of your Lordships' titles and estates? Not a bit; they know little about them and care less. Will you venture to say that they are conservative of the interests of the Established Church? Certainly they are not. Thousands upon thousands living in this vast City of London do not know the name of the parish in which they reside nor the name of the minister in charge of it. They are, however, very conservative indeed of their own sense of right and wrong. They are living from hand to mouth, and they are very conservative of what they consider to be their own interests. They are affectionate, grateful, and open to sympathy. If there were to go among them two persons, one a lord and the other a plebeian, they would, without adopting the lord's opinion, prefer the lord, because they would think he would have more power to forward their views. They have their own interests strongly at heart. They have no desire for plunder or spoliation, but they have rights and wrongs of their own conception, which they will insist upon maintaining or redressing. Long as I have known them, were I to go to a meeting of a thousand, take a different view of their interests from what they take, and try to persuade them to adopt my view, I am sure that 995 out of the 1,000 would vote against me, and would take good care to look out for some one who would better serve their interests. I cannot understand upon what ground you say this is a Conservative measure. I have heard it argued that we must rely a good deal upon social influences. I perfectly understand how social influences can prevail where a landlord lives among his tenants; but a totally different state of things prevails in London and other large towns. The people live together in large masses far removed from the influences you speak of, and I cannot give a better proof of it than this statement: not long ago an excellent clergyman of the Church of England told me that in the whole of his district, containing 6,000 people, there was not a single family that kept a housemaid. Look at what is going on in London and all great towns. Persons of property, and even tradesmen, are leaving town for country residences. In the neighbourhood of this House there is a remarkable congregation. Twenty-five years ago it was so rich that the minister could find agents and money for any object. The other day he told me that the wealthy were leaving the district in such numbers that the necessary agencies could hardly be maintained. It is the same in the manufacturing towns—in Manchester, Huddersfield, and others I could name. The same complaint is made everywhere—that the people of property and station are leaving the towns and are removing themselves from the working classes, and that a "hard and fast line" is being drawn between employer and employed, between persons of influence and those who ought to be subject to it. To trust to social influence under existing circumstances is to trust to the greatest of all chimeras. Another hope held out is that of education. I am sure I shall not be misunderstood when I say that the hope of education is one of the most fallacious that could be entertained at present. If you would give us ten years of preparation education might do a great deal; but what you are going to do is this, to give the franchise before you give education, whereas you should have given education before the franchise. It will take ten years to bring up the residuum by education; but it will not take six months for them, through their representatives, to destroy everthing that comes before them. I must say, when I look at the state of this vast population, when I know what they are, how easily they are deluded, how impressible and open to influence they are, I think that this gift of the suffrage is one of the most fatal gifts ever bestowed upon an uneducated people. In the interest of the people you ought to have withheld it for some years. Depend upon it, there will be no lack of rich, unscrupulous candidates, desirous of social position, and they will find the new voters purchasable as a flock of sheep. I am certain you will find, to your great regret in future, that by this measure, instead of promoting purity, you have unwittingly extended the worst political corruption. Again, it is said that we should throw our confidence on the people. Yes, my Lords, I say so too, for if they are left to follow their natural instincts it will be found they have no desire, in themselves, to make any aggressive movement on the institutions of the country. But they are easily excited, easily open to misrepresentation; a skilful and adroit orator may bring them to almost any conviction he pleases, and then say, my Lords, in what state we are. I believe that this country is by no means in the same position as it was some twenty years ago. A certain moral electric telegraph now runs through the whole of the people of this country. Anything said or done in London is felt simultaneously at John o'Groat's House, and the Land's End. The people act together rightly or wrongly by one simultaneous movement. They have common affections and common action, and if in a time of distress and difficulty demagogues should bring their influence to bear upon them, they would, in the plenitude of their power, assail almost every existing institution—

> "Malé judicavit populus, at judicavit; non debuit, sed potuit."

They would possess the power, and they would exercise it in their passion. I know that in the generosity of their hearts many would afterwards be grieved, but they would then have done that of which they would have to repent unavailingly in sackcloth and ashes. Many people are entertaining sanguine hopes that after the dissolution of 1869 there will be large returns on the Conservative side. For my own part, I cannot venture to say how that will be. But if the times be times of distress in the land, if there be a lack of employment and a lowering of wages, or anything which touches the deepest interests of the people, rely upon it that you will have no such result but a movement which will lead to very rapid changes. This, my Lords, is, I believe really the state of the case in regard to the great mass of the population, by which I mean that preponderating class which will shape the whole character of the representation, which will have the greatest influence in the House of Commons, and which will determine the future destinies of this great nation. As to re-distribution, I can only remark that I believe, as was stated last night, that it is a question which must be re-opened altogether. And I cannot blame the Government for that, for I am convinced that, upon the principles laid down, if even an angel from Heaven had drawn the clauses he could not possibly have given satisfaction. If you lay down the principle that representation must follow wealth and population, the representation will travel, as it is travelling now, rapidly to the North. New towns are springing up every day in the North, and are demanding representation. Already I have seen a list of several which are dissatisfied, and which will in the new Parliament assert their right to have a voice in the representation. You will have a new Reform Bill at every Census. Things are rapidly approaching to one great consummation—that great consummation announced by Mr. Cobden that "the towns must govern." Surely, my Lords, all these things are tending to republican issues!

If we have any doubt upon that point, we may refer to the authority of Mr. Bright, who stated broadly in his speech that whatever might be the outward form, the principle of the Government must be republican or democratic; and, perhaps, one of the heaviest charges which can be brought against this Bill is that it is accelerating our already too rapid progress. What is fresh one day becomes antiquated the next. The Reform Act of 1832 gave us a pause of thirty years. But what will the Reform Bill of 1867 do? My Lords, I do not believe it will give us a pause of a single Session. Everything at the present day is swift and gigantic. We have gigantic wars, gigantic ships, gigantic speculations, gigantic frauds, gigantic crimes, a gigantic Reform Bill, and I much fear that we shall have a gigantic downfall. Our position is, indeed, full of misgivings and fears—we are bringing, suddenly and roughly, old England into collision with young England; ancient and venerable institutions to be tried without notice or preparation, by poverty, levity, and ignorance, and by many who, being neither poor, nor vain, nor ignorant, are yet too full of hot blood, effervescing youth, and burning ambition, to be calm, dispassionate and just. But, after all this, there will arise all the great social questions. From all which I have seen and heard I feel assured that there will arise in this country, and speedily, too, a revival of that great feud instituted between the House of Want and the House of Have. You then will have new schemes, new agencies, new conditions, new social questions, and new fears—and I verily believe that those who have been foremost in urging the passing of this measure will be among the very first to lament and condemn it. But, my Lords, if all this were necessary for the real advancement of the human race, if it were necessary for the interests of England, I am quite sure your Lordships would be the first to accede to it. Institutions must be expanded to suit men, and men not dwarfed or cramped to suit institutions. Yet, my Lords, I should have thought that Statesmen of high minds and patriotic hearts might have devised a scheme by which these discordant elements might have been brought into union, so that, for a time at least, all that appears jarring and difficult might have been reconciled in some one harmonious movement. But, my Lords, however dark and dismal may be the future of England, it is our duty to fight for our country, into whatever hands the Government may fall. England, though not so great and happy, may yet be a great and happy land. Whether monarchical, republican, or democratic, she will be England still; and let us beguile our fears by indulging our imagination, and by picturing to ourselves that which can never be realized—that out of this hecatomb of British traditions and British institutions there will arise the great and glorious Phœnix of a Conservative democracy.

THE LORD CHANCELLOR: — My Lords, in addressing your Lordships on the present occasion, I must not forget that the Resolution of the noble Earl on my left (Earl Grey) is the Question immediately before the House, and that it has to be disposed of before we proceed to read the Bill a second time. The noble Earl (Earl Granville), who spoke yesterday at a late period of the evening, touched upon a variety of subjects, treating many of them in his usual light and pleasant manner, but he did not allude, in the slightest degree, to this Resolution; indeed, we have no information from him as to how he and those with whom he is accustomed to act are disposed to deal with this question. My Lords, if I rightly understood the noble Earl's answer to a question put by a noble Friend of mine opposite, the noble Earl stated that he was not disposed to concur in the Amendment. I trust that I did not misunderstand him on that point, and I shall be glad to hear that that is the determination at which he has arrived. I confess I was in hopes that, before we reached this point in the debate, the noble Earl on my left (Earl Grey), observing the feeling of the House, would have intimated his intention to withdraw his Amendment. That Amendment appears to me to have performed the office which the noble Earl stated he intended it to perform when he placed it upon the Paper. He said that its object was to lead to a full discussion of every part of the Bill before we went into Committee. Now, my Lords, the noble Earl must be quite aware that it was unnecessary for him to introduce any discussion on the second reading by means of a Resolution of this description, because he must know perfectly well that in the debate on the second reading the principles of the Bill throughout would be discussed. The noble Earl might have raised a discussion without giving notice of any Amendment; and, as the noble Earl has a better right than almost any other man to be listened to with attention on this subject of Parliamentary Reform, he might have expected that, without any notice at all, we should have been prepared to listen to him with respect and attention. But, my Lords, although this Resolution is unnecessary for the purpose for which it was placed on the Paper, I must say I regard it with some anxiety and alarm, because it appears to me to be calculated to place this House in a critical, not to say a perilous, position. We have been reproached of late for our alleged remissness and disregard of the important duties which are vested in us by the Constitution. I believe these reproaches are wholly unmerited. I am not aware that your Lordships have ever abdicated any of your high functions, or failed to perform a single duty that devolves upon you. Still, it is impossible to disguise from ourselves that these reflections which are circulating through the country are calculated to produce a very unfavourable impression respecting us; and how can it be effaced if it should be found that your Lordships were either obstructing or denouncing a measure which has been looked for with the most ardent desire, which has been watched in every stage of its progress through the House of Commons with intense anxiety, and which has been regarded, as far as we can gather from public opinion, as a satisfactory solution of the difficult problem of Parliamentary Reform? My Lords, when I turn to the Resolution of the noble Earl, the first thing that strikes me is its vagueness and indefiniteness. He proposes that your Lordships should affirm that—

> "The Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question, or to promote the future good Government of the Country."

Your Lordships are called upon to agree to a Resolution of this kind without any reason whatever being assigned for it. Of course, each of your Lordships may form your own judgment upon it. It appears to me as if the noble Earl had framed the Resolution with a view to unite in a condemnation of the measure, those who are of different or even opposite opinions. But reflect, for one moment, on the serious consequences which would result from a majority obtained in this manner. The House of Commons was engaged for five months in an anxious and earnest endeavour to settle the question of the Parliamentary franchise upon a solid and substantial basis. Both sides of that House united their energies and abilities in order to accomplish this great task. They have succeeded by concession and compromise in arriving at a settlement which they, of course, consider satisfactory; and, my Lords, when they send that measure for your Lordships' approval, are they to be told that they have laboured in vain—that all their time and all their skill have been wasted, for that in the result they have failed entirely in their object, and have passed a Bill which is not likely to effect a settlement of the question or promote the good government of the country—in other words that the Bill will be detrimental to the good government of the country? My Lords, this Resolution is calculated, as it appears to me, to produce another very serious mischief. I have said—I know others differ from me—that, as far as I gather public feeling, this measure is considered to be a satisfactory settlement of the great question of Parliamentary Reform. What then would be the effect—the necessary effect—of this Resolution? Why, to make persons discontented—to make them disaffected—to tell them that if they think they have arrived at a satisfactory conclusion they must be undeceived. If the second reading of this Bill is to pass, I think it would be more prudent, more patriotic, to give it a chance of success with the people; at all events, not to provoke a new agitation against it—an agitation of a most dangerous description, because it would be without any definite object. My Lords, this being the feeling which I entertain with respect to the noble Earl's Resolution, I would venture to ask you to consider whether it is well founded in its terms and in the statements it makes with regard to this measure. It states that the Bill—

> "Does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question."

My Lords, no one supposes that any Bill of this description will effect a permanent settlement; because, as my Friend the noble Duke who spoke last night (the Duke of Marlborough) said, no human work can be permanent; but I believe this measure is calculated to be as durable as any other that could possibly be devised. I think it has been clearly established that any franchise based on a fixed line of rating or rental contains within itself elements of instability; and I was perfectly astonished to hear my noble Friend (the Earl of Shaftesbury)—who seems to apprehend from it a democratic influence and power which would go to the extent of dissolving this House—say that he approved the measure of 1866 (which we all know was one to establish a £7 rental qualification, without any payment of rates), on the ground that it would gradually lead to further reductions. Why, my Lords, in this very fact lay the objection to the measure. I find in a speech delivered by a Reformer at a meeting of the Reform League this remarkable expression, which I commend to the attention of my noble Friend—

> "A Reform Act which pushes the line back from £10 to £8 or £6, is a mere halt—a timid, staggering step—to universal suffrage."

My Lords, even the £10 franchise under the Reform Act of 1832, though by force of habit we had come to believe that it contained a fixed principle, has been unable to stand its ground. It is universally given up and acknowledged not to contain a proper basis. The noble Earl who was partly the author of the Reform Bill of 1832 (Earl Russell) has since condemned the £10 franchise. In 1859, during the Government of my noble Friend the present First Minister, when a Bill was introduced in the other House which was not for a reduction but for a lateral extension of the franchise, the noble Earl (Earl Russell) moved this Resolution—

> "No re-adjustment of the Franchise will satisfy this House or the country which does not provide for a greater extension of the suffrage in cities and boroughs than is contemplated in the present measure."—[3 *Hansard*, clii. 1618.]

My Lords, when my noble Friend (the Earl of Derby) accepted office with all the difficulties which he has so fully described, I apprehend it was impossible for him not to face the question of Reform, and not to attempt a settlement of this long agitated question. I know there are those who think that a Conservative Government ought not to meddle with Reform; that they ought to leave it to those to whose political principles it seems more congenial. I may be bold in the assertion, but I believe that in the present state of parties the settlement of the Reform question could not have been accomplished except by a Conservative Government working in co-operation with political opponents who were determined that a safe and secure Reform Bill should be passed. I think I am entitled to express this opinion from our experience of the Bill of last year, when, although Her Majesty's late Government had a very large majority in the House of Commons, which was led by an eloquent and able Leader, they tried a Reform Bill, and entirely failed. Well, my Lords, it being necessary—as I think it was—that we should deal with the question of Reform, it became us to give the most ample and careful consideration to the matter, with the view of seeing how—the reduction of the franchise being almost a necessity—we could bring about a safe and satisfactory settlement. We determined that we would connect taxation with representation, and that no man should be entitled to the franchise who did not help to bear the burdens of the State. My Lords, this principle is not a new one. It is the old constitutional principle which existed before the Reform Bill of 1832, under the Reform Bill, and which has been involved in every measure that has been attempted since that Bill passed. The original right of voting was by scot and lot—paying scot and bearing lot; paying parochial burdens and being liable to serve parochial offices. Under the Reform Act of 1832, the franchise was coupled with the payment of rates and assessed taxes. I think the amount of £10 was fixed upon for the franchise, because at that time it was the lowest amount on which inhabited house duty was payable. That continued till 1851, when the inhabited house duty was raised, and no house under £20 was taxed; and thenceforth the franchise was not coupled with the payment of rates and assessed taxes, but only with the payment of rates. In all the measures brought in subsequently—in the Bills of 1852, 1854, and 1859, and until the Bill of 1866—the payment of the burdens of the parish, in which the house conferring the vote was situate, was the foundation of the franchise. In 1866 the then Chancellor of the Exchequer, Mr. Gladstone, with the assent of his Government, introduced a Bill which settled the franchise at a £7 rental, without requiring the payment of any rates whatever. That is the Bill the noble Earl who last addressed your Lordships (the Earl of Shaftesbury) approves, because it would act as a sliding scale; because it is certain not to be permanent; because it will lead to further changes. And yet my noble Friend is one who dreads democratic influence, and thinks that the consequences of this measure of household suffrage, as he calls it, will necessarily lead to universal suffrage, and to the swamping of the House of Lords. My Lords, having resolved upon the principle on which the franchise was to be based, we have never for one moment swerved from it. It is true that upon one occasion, which has been more than once alluded to, we altered the application of that principle by agreeing that the franchise should be based upon a £6 rating; thereby establishing what is called a "hard-and-fast line." In that we yielded, under circumstances which are fresh in the recollection of your Lordships, which at the present moment I very much deplore, and of which I was bitterly reminded in the fervent and eloquent address last evening of the noble Earl (the Earl of Carnarvon), one of the Colleagues of whom we were deprived on that occasion. The noble Earl (the Earl of Shaftesbury) thinks that this measure of residential household suffrage, with personal payment of rates, will lead to universal suffrage. I am sure that the scheme of which my noble Friend approves is one that must lead ultimately to universal suffrage; but I am at a loss to comprehend by what process household suffrage leads to universal suffrage; and I am utterly unable to see the logical conclusion from the premises of my noble Friend. My Lords, persons of very great sagacity, who are the last to desire to alter the fundamental institutions of the country, have regarded this as the most satisfactory solution of a great problem, and as a basis on which the franchise may be securely and safely settled. Our principle, the principle of personal rating, my noble Friend says, is sure to give way. He says, indeed, that every scheme which can be suggested must necessarily give way in time. But this principle of personal rating is the one thing which we consider most important, and which we have invariably insisted upon. That being the principle of our Bill, the introduction of the lodger franchise of course breaks in upon its integrity. In 1859 a lodger franchise was included in the Bill of the Government; but in the present Bill, as originally introduced, that clause was not contained; it was insisted on by the House of Commons and acceded to by the Chancellor of the Exchequer. I quite agree with my noble Friend that there may be very great difficulty in preventing frauds under the lodger franchise. The proof of that franchise must depend either on the statement of the landlord or the tenant, or of both together, or on the production of receipts. But we have endeavoured, as far as possible, to guard that franchise against the introduction of fraud by requiring the residence to be continuous in the same apartments and not merely residence continued from one lodging to another. I was unable to follow the noble Lord (the Earl of Shaftesbury) when he suggested that the lodger franchise should be extended to all persons occupying apartments at the rent of 2*s.* 6*d.* a week. The only difficulty which he sees in such a franchise is that, while admitting some very respectable people, there would be danger of its introducing others of a very different character. For my part, I cannot see anything more calculated to lead almost headlong to universal suffrage than such an extension of the lodger franchise. The question of rating necessarily leads to the consideration of the case of the compound-householder—a person who has lived for a very long time in obscurity, but who has suddenly become of very great importance. Your Lordships are aware that under the Reform Act, when there is a composition for a rate, the compound-householder, as he is called, who could not vote without paying his rate, may claim to be placed on the rate and to vote in respect of it. We introduced into our Bill that clause taken literally from the Reform Bill; but the House of Commons —and not, my Lords, our side, but the opposite side of that House—insisted on sweeping away all composition within Parliamentary boroughs, and that the party who was to have the franchise should be himself rated and should pay his rates. There was an Act of Parliament passed, I think, in the 14 & 15 *Vict.*, which enabled the compound-householder, on claiming to be rated, to pay merely the amount of his proportion of the composition paid by the landlord. Now, I never could understand the justice of that measure, or why any difference should be made between the compound-householder thus claiming to be rated and the ordinary ratepayer. The reason why a smaller payment is accepted in the case of the landlord is that he compounds for a great number of houses and pays the rate, whether they are occupied or not, thereby saving the parish the trouble and expense of collecting from house to house. For that reason they give him the benefit of a reduction in the amount of the rate. But if an occupying householder claims to have the franchise and says he will pay the rates in order to obtain it, why he is to have the same benefit which the landlord enjoyed I cannot possibly understand. Suppose that a landlord had compounded for several houses, and that all the tenants of these houses determined that they would claim to be rated, and would pay the rate, it is obvious that the benefit would exist without the consideration for it. In the case of the compound-householder we have certainly yielded to the suggestion, which came from the other side of the House, that the composition within Parliamentary boroughs should altogether cease a certain time after the passing of this Bill. But if I might venture to express an opinion, I should have been much better satisfied if the clause copied from the Reform Act had remained in the Bill, and the compound-householder could only have procured himself to be put upon the rate, on the terms prescribed in the Reform Act.

My Lords, I have few more observations to make, but I must say a word or two upon the re-distribution of seats. The noble Earl who spoke late in the debate last night (Earl Granville) said he would put to some Member of the Government the question, whether they expected that the system of re-distribution which we have adopted is likely to be permanent? I think my noble Friend (the Earl of Shaftesbury) has given an answer to that question, because he says that if an angel from Heaven were to frame a clause for the re-distribution of seats — I do not know that the work would be likely to be well performed by such an agent —there was not the slightest probability that the clause so framed would give satisfaction. If I understood the noble Earl rightly, he suggested that my noble Friend, in Committee on the Bill, should re-consider the re-distribution of seats, and try whether a better system for re-distribution could not be established. I own that I was perfectly astonished at the suggestion of the noble Earl, which amounts to this—that after the House of Commons with very careful deliberation has come to certain conclusions on the subject—first as to the disfranchisement and then as to the disposal of the seats so obtained—we were to unsettle all that, and proceed, I suppose, to a new system of disfranchisement in order to make additional seats available. I should like to know how the House of Commons would accept such a proposal on the part of your Lordships with regard to a matter which is peculiarly of interest to themselves. We have a Bill before us, as I have said, the result of careful deliberation—the result, I admit, of compromise and of concession, but of wise compromise and of prudent concession. It is a Bill which, I believe, will be received with satisfaction generally, and we are now called on to consider whether we will give a second reading to the measure with a view of going into Committee, after disposing of the Amendment of the noble Earl. My noble Friend has said that he will not go into Committee on this Bill if the noble Earl's Amendment be passed; he will not go into Committee upon a Bill discredited, disgraced, and branded upon its forehead, as being utterly improper and even hostile to the object for which it is intended. But, my Lords, I hope for better things ; I trust the Resolution will not be adopted by your Lordships ; I hope we may go into Committee ; and then, with that calm patience and judgment which always mark your Lordships' deliberations, that you will endeavour to suggest any improvements of the Bill which may commend themselves to your wisdom, and that we shall, in the result, be able to send the Bill back to the Commons in a state in which it is likely to promote the tranquility and happiness of the country.

THE DUKE OF ARGYLL : My Lords, the two speeches which have just been delivered to the House are surely a signsl illustration of the strange and anomalous position in which we are now placed. The speech of my noble Friend behind me, the Earl of Shaftesbury—a speech of unusual eloquence and power—expressed, I think, very clearly the opinions which until within a few weeks were supposed to be the unanimous opinions of the Conservative party. He was followed and answered—if, indeed, it can be called an answer—by the noble and learned Lord on the Woolsack, a Member of the Government all of whose Members are steeped to the very lips in prophecies of the most disastrous consequences certain to be brought about by the transference of political power to mere numbers. My noble Friend appealed to the Government for an explanation on a point of which an explanation was wholly wanting in the speech of the noble Earl who moved the second reading of this Bill, and no one who listened to that speech can deny that the complaint of it made by my noble Friend is strictly true. The noble Earl did indeed, in moving the second reading, explain to us last night how it came to pass that the Government had proposed this measure, but he said nothing to allay the fears which he and his Colleagues have awakened in the minds of Parliament and of the country with respect to any measure which should swamp the present constituencies by the mere power of numbers. He told us that he introduced this Bill because he was unwilling to be a stop-gap; but he failed to tell us why, rather than be a stop-gap, he had deemed it to be his duty to become a weather-cock. He further informed us that he had acceded to power supported by a minority in the House of Commons, and that he determined so to conduct his policy as to convert that minority into a practical majority —But how? by adopting the principles not only of his opponents, but of the extremest section of his opponents. Now, I do not myself participate in the gloomy anticipations of my noble Friend who spoke last but one (the Earl of Shaftesbury). Let us, however, at least be honest with ourselves, and do not let us conceal from ourselves the magnitude of the changes to which we are now about to give our assent. It is no mere matter of opinion, I apprehend, but matter of simple fact, that we are about to agree to the second reading of a Bill which not twelve months but six months ago, at the beginning of this Session, no Member of this House would have ventured to propose, and which, if it had been proposed, would have been met by your Lordships with an unanimous shout of "Not-Content." It does indeed at times occur in matters of long controversy that some new and happy thought removes all difficulties and reconciles all opinions; but it is not with a case of that nature that we have now to deal. The noble and learned Lord on the Woolsack talked of a compromise; and this Bill is, I admit, so far as the re-distribution of seats is concerned, a compromise—or rather it is a mere makeshift; but so far as relates to the borough franchise—that great subject of contest between different parties—let us not conceal from ourselves the fact that the Bill is no compromise, for on that point it is a measure of entire and complete surrender of every opinion that has ever been held or expressed by the Conservative party in this country. I remember very well that on the first night of this Session a very agreeable and pleasant speech was made by a noble Friend of mine who now sits behind the noble Earl at the head of the Government (Lord Delamere). I never had myself the honour of moving or seconding an Address in Answer to the Speech from the Throne, and I do not quite know what is the exact amount of communication which passes between those who are asked to perform that honourable duty and the chief of the Administration. I very well recollect, however, that my noble Friend, being of a simple and confiding disposition, told us on the occasion to which I am alluding that he did not know what the Reform Bill of the Government was to be, but that he was quite certain as to what it would not be. He then gave us a repetition of some of those phrases—do not we all remember them? which passed from mouth to mouth, and were deemed the right things to say in reference to our Bill of last Session. My noble Friend informed us that the Bill of the Government was not to be a hasty measure; that it would not be an "ill-considered" measure; that it would not give a vertical reduction of the franchise; and above all it would not throw predominating power into the hands of a single class. Will the noble Earl now contend that the Bill before us answers all those conditions with which he was so ready to believe at the commencement of the Session that it would comply? Perhaps I may be able to bring home to the minds of noble Lords opposite one or two facts which will show them that this Bill is no compromise, but, as I said before, a complete surrender of all the principles upon which they have hitherto taken their stand. It was stated in several of the speeches which were delivered last night that this was, in fact, Mr. Bright's Bill; but I believe many noble Lords on the other side were disposed to look upon that assertion as a rhetorical exaggeration. Now, I have taken the trouble to compare that portion of the Bill which deals with the borough franchise with the celebrated measure which was propounded by Mr. Bright in 1858 and 1859 in the course of an agitation carried on by that Gentleman on the subject of Reform throughout the country, and which was received with an almost universal shout of ridicule and indignation. The clause of the Government Bill relating to the franchise, is, however, word for word, the clause of the Bill of Mr. Bright, with this exception, that—as the noble Lord at the head of the Government has told us — the qualification for "shops or other buildings" which is included in the Reform Act is omitted in the present measure; so that, so far as that goes, the Bill is slightly more democratic than that proposed by Mr. Bright, because this and other franchises representing the small shopkeeping interests belongs to the present constituency. Practically it may with truth be said, that the clause before us relating to the borough franchise is the clause in Mr. Bright's Bill transferred *literatim* into the measure of a Conservative Government. Let me supply the House with another illustration of the democratic character of this Bill. In the computation which I am about to make, I fully accept the data which were furnished by the noble Earl at the head of the Government last night. I admit that instead of taking 70 per cent of the raw material of the new constituencies as the number likely to come upon the register—that being the present percentage — we must make liberal deductions on the score of poverty, and the consequent disfranchising effect of such restrictions as it may be found possible to maintain. I take, therefore, the number at 50 per cent; and, adopting the line of argument pursued by the present Chancellor of the Exchequer, in reference to the Bill of 1860, which, I think, was not only legitimate, but quite necessary as a means of testing the true numbers of the existing constituency—I leave out of the calculation the great metropolitan boroughs, the inclusion of which would vitiate the result, because of the peculiar conditions which prevail in their case. Making that deduction I find that the total number of borough voters in England is 339,000, exclusive of the metropolitan boroughs. Of those 339,000 we learn from the statistics of last year that 249,000 belong to the middle classes, eliminating those who belong to the working classes. Now, the noble Earl opposite has admitted that, taking 50 per cent of the raw material of the new constituency as likely to come on the register—and I proceed on his calculation with perfect confidence that it is within the truth—the number of the new electors belonging to the working classes will be at least 350,000. There are already on the register 90,000 working men, not including those in the metropolitan boroughs. You will, therefore, have under the operation of this Bill a total of 440,000 electors belonging to the working classes as against 249,000 belonging to the middle and upper classes of society. That, my Lords, is the nature of the change to which we are asked to give our assent, and to which we are asked to give our assent too by a Conservative Government, the Leader of which told us a few years ago that he conceived it to be his mission and that of his party to stem the tide of democracy. The effect of the present state of things upon the Conservative party is, to me, apparent from the fact that, while the speech of my noble Friend who opened the debate to-night would last year have elicited vociferous cheers from noble Lords opposite, it has to-night been received by them in ominous silence, and has so evidently sunk deep into their minds. There are also on this side of the House many Members of the Liberal party who look, if not with alarm, at least with some doubt and distrust, to the consequences of this large and sweeping enfranchisement of the working classes. Yet, we are about, I believe, by a very large majority, to accept the second reading of the Bill. Nor is the position in which we find ourselves placed with respect to it peculiar to the House of Lords; depend upon it, the House of Commons have found themselves in precisely the same position. The Bill has passed that House nominally with the general assent of its Members, but in reality by their general submission. Parliament finds itself under circumstances in which the great majority of its Members in both Houses feel that they have practically lost the noblest gift of man—the exercise of their free discretion and free will. I desire for a few minutes to occupy the attention of the House by an inquiry not into the reasons for this Bill, but into the causes of its appearance here. My noble Friend who sits on the cross Benches (Earl Grey) said last night that this was not a time to enter into such an inquiry. If my noble Friend had any hope that his Resolution would be assented to by the House, he was right in avoiding that inquiry; but I have no expectation of the Resolution being carried. I for one would under no circumstances vote for the Resolution of my noble Friend. It has a close family resemblance to those unfortunate Resolutions and Motions which were proposed last Session, and with results with which my noble Friend does not seem to be wholly satisfied. I, for one, will never, unless driven to it by circumstances of extreme necessity, vote for an abstract Resolution of this kind without any hope of agreeing with the Mover in the subsequent steps which he may propose to take for the enforcement of his views. I have no confidence that I should agree with my noble Friend in his Amendments, and my noble Friend has not told us what those Amendments may be. I, therefore, look upon this Resolution as entirely out of the question, and believe it will be supported by a very small minority of this House.

Seeing that that is so, and that we are by common consent, or, as I have said, by common submission, to give our assent to a measure having such large consequences as those to which I have referred, I hold, my Lords, this is the time, this is especially the time, when we have a right to look back upon the history of these transactions, and to ask how it is that we have come, and that the other House of Parliament has come, to be in circumstances of such stress and strain in regard to this great question of Reform? My Lords, I begin by admitting that the Liberal party have, in my opinion, been much to blame as regards the consequences which so many are now deploring, and in respect to which so many are entertaining doubts. My Lords, I trace the prime cause of these circumstances to the weakness, the timidity, and the insincerity with which the Parliament of 1860 dealt with the Bill introduced by the Government of Lord Palmerston. My Lords, I have always been disposed to admit that the noble Earl opposite (the Earl of Derby) and the great party opposite which he leads have had some right to taunt us with our conduct of that question in 1860. When the Bill of 1860 was introduced by the Government of Lord Palmerston, following a General Election which had taken place especially on the subject of Reform, it was manifest that a great re-action of opinion had set in in the other House of Parliament. That Bill was, in reality, talked out of the House, and no earnestness or sincerity was shown in the manner in which it was treated. My Lords, it may fairly be said that this weakness of the Liberal party involved considerable blame on the part of the Statesmen then at its head, and on the part of the Government of which I had the honour of being a very humble Member. Now, I am not disposed to repudiate for that Government any portion of the blame which may fairly be laid upon them; but there are two observations which I would venture to make in regard to the conduct of that Government, the justice of which will, I think, be conceded on both sides of the House. In the first place, during 1860 and several years after we were engaged upon great financial measures which—although it is unusual in this country, that financial questions should become questions of party —were bitterly, and, I venture to say, fanatically opposed by the Conservative party. It was impossible in 1860 to carry a Reform Bill and the important Budget of that year, with the French Treaty attached to it, concurrently through the House of Commons. Those contests continued for several subsequent years. The other observation which I venture to make is this—that it is one thing for a Government to come to the conclusion that the present is not the time in which they can advantageously deal with any great question, and quite another thing for a Government to undertake to deal with it upon principles which they have always repudiated and disavowed. At the same time, my Lords, I am willing to admit so far that I think it was a mistake on our part—a mistake in something more than policy—not again to revive the question of Reform before the dissolution of that Parliament. Our trumpet "gave an uncertain sound," and who could prepare himself for the battle? In passing, I wish to make a remark which is suggested to me by something that dropped from the noble Earl opposite (the Earl of Derby) last night in regard to my noble Friend Lord Palmerston. The noble Earl chose to assume that Lord Palmerston was personally opposed to any revival of the Reform question. My Lords, it is perfectly well known—it is no secret—that Lord Palmerston came, late and reluctantly, to the conclusion that the great settlement of 1832 required revision and re-adjustment. But he did at last come to that conclusion, and nothing which I know, or have ever heard, induces me to believe that he ever recalled that opinion, or re-considered it in the sense of being adverse to Reform. Of this I can inform the House on my own personal knowledge, that shortly after the Bill of 1860 was dropped, Lord Palmerston expressed to me his conviction that the question must, after no long interval, be again dealt with, and he even indicated to some extent the principles on which he thought a measure should be founded. My Lords, I had not the honour of seeing my late noble Friend between the last Election and the opening of the present Parliament; but I have some reason to know that when a majority of upwards of seventy was returned in favour of his Government, he was perfectly aware that the question could no longer be allowed to sleep, and that in the new Parliament he would have to take it up. My Lords, in saying so much on this subject, I hope the House will not think that I am guilty of the folly and the weakness of quoting in favour of the conduct of the living the presumed authority of the dead. It is enough for any man, however great he may be, that he governs his fellows during his own life. Each generation is responsible for its own conduct. I do not claim for our Government the authority of Lord Palmerston in regard to the Bill of 1866. I am only anxious to defend my late noble Friend from the imputation of insincerity, which I believe is wholly unjust, and to state on this public occasion that I believe Lord Palmerston fully intended to deal again with the great question of Reform. Now, I am bound to admit that, as we did not raise the question of Reform in the last Parliament, the present Parliament was not elected on the question of Reform. It was, therefore, perfectly fair and open to any Member of that Parliament who might entertain an individual opinion against the question of Reform, to oppose any Bill which the late Government might have brought in. But this I will say—that the present Parliament, partly in consequence of our conduct I admit—inherited all the timidity, all the faint-heartedness and the weakness of the last Parliament in regard to Reform. Under these circumstances, when the Government of my noble Friend (Earl Russell) determined to introduce a Bill, we knew very well the risk we were incurring. That Bill was drawn up—I am not now going into any defence of its details—with a studious regard to moderation; and we were perfectly aware of two things—the one was, that its introduction involved the greatest risk to our existence as a Government; and the second was, that if that measure was refused, no proposal of similar moderation could again be offered to the acceptance of the House of Commons. My Lords, the spirit of the late Parliament almost immediately broke out in that to which I mainly attribute the difficulties that have now arisen—namely, the attempt to form a third party in resistance of Reform. I have heard that a right hon. Friend of mine—a member of that third party (Mr. Lowe) upon a recent occasion has declared that it is with rage, and grief, and shame, that he regards the present position of affairs; and well he may. My Lords, it is a hard thing for a man of first-rate ability to find out that all his eloquence and all his exertions—perhaps I may say without offence, all his manœuvring—has ended in nothing else than this—the precipitation of those very changes which he was most anxious to avoid, and the proposal by his own confederates, in what I think was a Parliamentary sin, of the very measures which he was endeavouring to resist. But if my right hon. Friend had studied Parliamentary history I think he might have made pretty sure of what would be the result of his exertion. Third parties have never succeeded in our Parliamentary history; and why have they not succeeded? Because, my Lords, they produce an anarchy of parties; and who gain the advantage in times of anarchy? Is it not the men of extreme opinions, who take the opportunity of marching to the front? My Lords, I doubt whether in the whole course of our Parliamentary history there has been such a complete collapse of any party as there is of that which endeavoured to form a third party on the question of Reform during the last Session. They are utterly gone, "glimmering through the dreams of things that were;" they have not even left behind them that ring of froth which marks where a bubble unusually large has burst. Their very language is forgotten. They are now reviled and taunted by those who were last year their confederates as "stray philosophers." We heard of nothing last Session except about "blank" reductions of the franchise, the "predominance of classes," and the "disfranchisement" of the existing constituency. What has become of all those phrases now? We hear not one word of them. Why, my Lords, the very temple in which this party worshipped has been razed to the ground, and the ruins have been strewed with salt; unless, indeed, it be that my noble Friend on the cross Benches (Earl Grey) who, I am afraid, gave to them, to a large extent, his encouragement and support, is left almost alone to keep alive the flame of his devotion before a solitary and abandoned shrine. My Lords, unquestionably the formation of that third party was one of the great causes of the position in which we now stand. But there was another cause, and I am not sure that it was not more powerful than any of the others, and that was, the methods of the opposition to Reform which were adopted by the Conservative party in conjunction with that third party to which I have referred. My Lords, it was an object with those parties—an object with both of them—to conceal the fact that it was their design to resist any reduction of the franchise. The noble Earl (the Earl of Derby) took credit last night to himself and to his party for not opposing the second reading of the Bill of last year. They were better tacticians than that—they knew that they would gain their object better by joining with the third party in mock Amendments when the Bill got into Committee. Last year, the late Chancellor of the Exchequer was lectured because he had said that the Amendments brought forward during the discussions on Reform by the Conservative party pretended to aim at one thing and really meant another. It was said that it was a very improper thing for a Minister of the Crown to make such a charge. But soon after the statement was confirmed by what was said by the one political Nathaniel that the Cabinet contained; for what did General Peel tell his constituents when he was elected after his appointment as Secretary for War? The gallant General, as a distinguished Member of his party, had been of course accessory to all these transactions and negotiations which went on last Session with a view to defeat our Reform Bill without admitting that the real ground of objection was the numbers of the working classes whom it would have admitted to the franchise; and being an honest and straightforward man he told his constituents that of all the Motions which had been made in the House of Commons with a view to defeat the Reform Bill, there had not been one, from first to last, which had been made *bonâ fide.* These are his words—

> "Between the first division, when the Government got a majority of 5, and the last, which placed them in a minority of 11, it might safely be said there was no *bonâ fide* division."

I believe this to be literally true. The object of the Conservative party last year was to avoid admitting that the opposition was to lowering the franchise, and every sort of device and dodge was resorted to in order to conceal this, and, at the same time, to enable men of different opinions to vote together (very much as my noble Friend hopes to unite discordant opinions to-night) to defeat the Bill without committing themselves against the principle of Reform. That method of opposition is one of the main causes of the difficulties in which Parliament is now placed. As part of the same line of tactics there was a cry raised for some "principle"—it was said that our Bill was founded on no principle, and the cry was that it should be founded on some principle. May I venture to warn the Conservative party against hunting too much for abstract principles—for that may be said in regard to them which has been said of fire and water, they are very good servants, but very bad masters. Of one thing noble Lords opposite may be sure—that abstract principles are never Tory. I know of no abstract principle with regard to representation except this—that representation and taxation should go together; and this is a principle which leads directly to universal suffrage. I know, indeed, that an attempt is made to distinguish between direct and indirect taxation. Men having an object in view draw a line which will effect that object, and they call that a principle; but for those who have not the same object it is no principle at all; and how can you draw a logical distinction between direct and indirect taxation? There may be some countries whose finance is founded on direct taxation, and there the distinction you draw is of no avail; but in our country where of seventy millions or thereabouts of taxation nearly forty millions are raised by indirect taxation, would it be logical, in putting representation and taxation together, to exclude four-sevenths of that taxation? The "principle," as a principle, is a perfect farce. And see how this vain hunt after abstract principles has worked with regard to this measure. Last year the Conservative party said, "We will not have a rental qualification—there is no principle in it—let us have rating." That was the point on which we were defeated last year, and everybody knows that the effect of that Amendment was to diminish the number who would be enfranchised by a £6 rating, as compared with a £6 rental—for the noble Earl and his Colleagues were well aware that there was a large margin—25, 30, 35, and in some boroughs 40 per cent between the rental and the rating. They caught therefore at rating as a principle, and carried it by a small majority. What did they do when they themselves came into power? The "Ten Minutes Bill" proposed a £6 rating franchise, which was consistent with their movements of last Session; and it would have excluded the great bulk of the compound-householders. When this proposal was abandoned the Government fell back—still aiming at the same result—on what they call "personal rating." This also was intended to exclude the compounding class. By acceding therefore to Mr. Hodgkinson's Amendment, which abolished compounding, they practically gave up the personal payment of rates by admitting the whole body of compound-householders to the raw material of the franchise. At one sweep, by an Amendment upon which I believe there was no division, the Government, in consequence of the difficulties of argument in which they were placed, admitted no less than 500,000 persons to the raw material of the franchise. [The Earl of DERBY intimated dissent.] The noble Earl seems to doubt my figures; but I maintain that not less than 500,000 persons will be in a position to obtain a vote by the abolition of compound-householding. Had compounding been general all over the country, a personal rating would have excluded all these; but by abolishing compounding a mass of people verging on pauperism were brought in, with respect to whom it had been found convenient and profitable to adopt the system of compounding. Thus, by the notion, that the mere word "rating" contained a "principle" the Government were hustled from one conclusion to another till the Bill has been so changed that it is virtually no longer the same measure. I do not mean to say a word against personal liability to rates as a qualification for the franchise, but we cannot shut our eyes to the fact that it is simply the principle of a pecuniary payment; and it matters nothing to the State, if you go on that principle, whether that payment is made to the landlord in the shape of rent or to the parish in the shape of rates. It is absurd to pretend that it is no indication of qualification in a householder to pay £7 to his landlord, and that it is an indication of fitness if he pays 5*s*. to the rate collector. Thus, in consequence chiefly of the policy of the Government, their methods of opposition to our Bill of last year, the principles to which they committed themselves, the difficulties which those principles involved, and the necessity of passing from one step to another, we have arrived at last at household suffrage, pure and simple, with the sole qualification, not of personal payment of rates, but of personal liability to pay rates.

I now come to another and more important cause of the collapse of the Conservative theory of the franchise. That theory was that all persons below the £10 line were practically one class, with interests and feelings wholly separate from the rest of the community, and that they would act together as a class; and if enfranchised in sufficient numbers would swamp the existing constituencies. Now, it is true, that the men whom you are about to enfranchise will form a numerical majority of the voters; as my noble Friend (the Earl of Carnarvon) remarked when he went out of office, that is not a question of argument, but one of mere arithmetic. It is, however, a purely theoretical assumption that they will act together as a class, that they have different feelings and opinions from the other classes of the community, and will exercise their power as a class in the choice of class representatives. If this were so, your Lordships might well feel some alarm at the prospect before us. Let us test this theory, which if true shows that we are in a most alarming position, by the experience of the past and the present. Remember, in the first place, in mitigation of the terrors held over us by my noble Friend (the Earl of Shaftesbury) to-night, that precisely the same predictions were hazarded with respect to the great measure of 1832. Indeed, my Lords, no more melancholy task can be imagined than a review of the debates in the Houses of Parliament upon any leading question that has agitated previous times—when we remember the severe exertions, the strain upon mind, and heart, and brain which any considerable Parliamentary efforts require, as well as the great intellectual powers which are sometimes exerted in their production—it is melancholy to contrast all this labour with the small value which is set upon the results by succeeding ages. Not more than one or two speeches in a generation, and those only by the greatest men, are referred to in future times, except for the purpose of seeing how weak the arguments which could delude, and how visionary the vaticinations which could frighten, the most powerful intellects of their time. I will refer, my Lords, to the case of the late Lord Lyndhurst. His form has not long departed from among us, and the sound of his noble judicial eloquence is still ringing in our ears. I beg those noble Lords who are impressed by the terrors held over them to-night by my noble Friend to go back to the speeches delivered by Lord Lyndhurst in 1832. He predicted—precisely as my noble Friend has predicted to-night—that the House of Commons would, as a consequence of the measure of 1832, become what he described as a "fierce and democratic assembly." What have been the actual results? Have they corresponded with the predictions? Have the predictions any relation to the existing facts? Has not the House of Commons for many years been crammed with the sons and the brothers, the nephews and the cousins of your Lordships? And is it not now the fashion of the Conservative party, and of that third party to which I have referred as having been so instrumental in bringing about the difficulty from which we are now suffering, to boast that the House of Commons has been the author of the greatest and most beneficent measures of legislation? Is it true, then, as a matter of fact, that the House of Commons has become a "fierce and democratic assembly?" And yet, observe that the basis of Lord Lyndhurst's arguments rested as much on arithmetic as the predictions of my noble Friend (the Earl of Carnarvon). It is perfectly true of the existing constituencies that there is an actual majority between £10 and £20, and that the whole power of the country, if they acted together as a class, would be thrown into the hands of the small shopocracy. That is the fact as arithmetic would prove it; but observe the enormous contrast between the predictions and the facts. This is one comfort which I draw from the experience of the past; allow me now to draw another from the experience of the present. There was no part of the Returns which we procured last year which excited more surprise than the large number of working men which it was then found were on the registers. To the immense surprise of all parties, it appeared that very nearly one-fourth of the existing constituencies might fall under the category of working men; though it was said, with a certain amount of truth, that a considerable number of keepers of beer-shops and other small shops were classed as working men, yet I believe there was but little error in our Returns, and that nearly one-fourth of the constituencies was composed of the working men. ["Hear!"] I see my noble Friend at the head of the Government cheering the argument which I now use; but I beg your Lordships to observe the use which he and his Colleagues made of those Returns last year. They are very glad now to be reminded that one-fourth of the constituencies belong to the working men; last year they said, "See how many more than you knew of this class are already on the register. You are assuredly not going to make an addition which will give to the working men an absolute preponderance in the constituencies of the kingdom." I do not know that the present Session has witnessed a revival of this argument; but was there not a wiser and more generous inference to be drawn from the facts laid before Parliament? Is it not clear that, if we were actually ignorant of the existence of the element of the working classes in our constituency, and if we learnt with surprise how strong it was, that they never could have exerted their combined strength for the purpose of outnumbering the rest of the electors, and that they must be so mixed up in habits, thoughts, and opinions with the other members of the community that their presence, as of a separate class, is never felt? The truth is, it might be said of the different classes of this country, that they have been, and I trust they will continue to be like the days of the poet—

> "Bound each to each by natural piety."

Let us look, then, in a spirit of confidence to the probable consequences of this measure.

And now, my Lords, let us look at the theory involved in the matter. The question of a revision of our representative institutions has occupied the thoughts of many able men, and an example of the speculations that have been indulged in may be seen in the volume upon Parliamentary Reform that has been published by the noble Earl on the cross Benches (Earl Grey). It may be said that my noble Friend stands alone. To a great extent that is true; but I beg the House to remember that the noble Earl is considered to represent the views of many persons, and there is no one more competent to draw the conclusions which ought to be drawn from given premises: there is no one in this House with larger experience, very few with greater ability, and none with greater honesty and straightforwardness. My noble Friend has said, "If you touch the franchise there must be a complete revision of the whole system. You must surround it with new safeguards against the predominance of a class." In fact, my noble Friend suggested no less than twelve safeguards which were absolutely necessary. I will not trouble the House by recounting them; suffice it to say that they involved not only plurality of votes and multiplication of special constituencies, such as guilds of working men, but the re-construction of the House of Commons itself. I will only say that those schemes of my noble Friend are purely visionary. They lie beyond the atmosphere of our system; it is impossible that they could form part of any practical scheme. Look at the very small attempt made by the noble Earl opposite (the Earl of Derby) in the way of safeguards. Look at the fate of the dual vote, of plurality of votes in the three-cornered constituencies—of every one of the securities which the noble Earl proposed. Look at the reception they met with in the House of Commons, and which they meet with in every-day society, and your Lordships will be satisfied that none of these schemes are practicable. Evidently you will find no security in contrivances of this nature against the democratic effects of this Bill. My Lords, I am not sorry for this result. I have no confidence whatsoever in these new schemes for a complete re-construction of the British Constitution. Last year we heard a great deal about "Americanizing" our institutions. I suppose we shall hear of it no more. As regards American institutions and our own, what is the essential difference between them? Has it not been this — that ours have been a growth, theirs have been emphatically a device—a device admirably contrived, indeed, by some of the greatest Statesmen and politicians that ever spoke the English tongue, but necessarily adapted to the circumstances of a new country. Ours is a system which has grown for many generations; and although you talk of the balances of the Constitution, remember that none of them are of the nature of those suggested by my noble Friend. They are balances which arise from the condition of society, from the feelings entertained by one class towards another, and not by legal powers placed by Act of Parliament in the hands of one class to check the action of another. It is said that there were some social questions upon which the working classes are more likely to act together than the middle classes would be—and I think this is true; but I was sorry to hear my noble Friend express the opinion that the changing conditions of society around us tend to modify the influences hitherto exerted by one class upon another. May I not suggest, however, that it is possible that the great political change we are now called upon to assent to, by which the political influence of the working classes will be largely increased, will also stimulate and increase the regard in which these claims will be held by those above them; that it will tend to bring about a more friendly consideration of their claims, a greater sympathy with their complaints, a more candid allowance even for their prejudices and errors; and that, in this way, a most beneficent result may follow from our labours?

My Lords: having said so much, I will not trouble the House with many observations upon a subject which has been pretty nearly exhausted—namely, the inconsistency of the Members of Her Majesty's Government in bringing forward this Bill. I, for one, am prepared not only to admit but to assert for the First Minister of the Crown, whoever he may be, and to whatever party he may belong, a wide discretion as to the measures he may think necessary for the welfare of the people. Both Catholic emancipation and the repeal of the Corn Laws have been carried by the Conservative party; but in both those cases, the Duke of Wellington in the one case, and Sir Robert Peel in the other, manfully came forward and made admissions which justified their conduct. The Duke of Wellington, who never quailed before Napoleon, but in the very height of his power foresaw and prepared his downfall, admitted that he was afraid of Ireland: it was a noble fear—a fear which a brave man need not be ashamed to avow, and upon which a good man was ever bound to act. And so it was with respect to the Corn Laws—Sir Robert Peel admitted that he was convinced by the arguments of Mr. Cobden and others that he had been wrong in his long contest against the principles of Free Trade. I do not complain of the Government for having brought forward a Reform Bill. I do not complain even of the character of that Bill, provided they had come forward and stated plainly that they had used entirely false arguments last Session regarding the predominance of a class. But I do complain of the manner in which this Bill has been brought forward. I will take an example — I shall not repeat anything said in the other House, and most powerfully said, and said in this House with not less power and eloquence by my noble Friend the late Secretary for the Colonies (the Earl of Carnarvon) ; but I will quote the language not of Members of the Government, spoken in another place, but of the noble Earl himself. A very short time ago a deputation from a Conservative Association waited upon the noble Earl. I presume that a reporter was present, because I find this report of the proceedings in *The Times*, and as doubtless the deputation was received and introduced with a view of influencing public opinion, I suppose I may accept as substantially accurate the report I find there. The noble Earl is stated to have addressed the working men who waited upon him in these terms—

> "I regret the distinction drawn last year between the working class and other classes of the community. I think it was an invidious and unnecessary separation, because our object is not to include so many of this or that class, but to admit to constitutional rights so many of all classes as shall be capable of intelligently and soundly exercising the political franchise."

The noble Earl regrets that last year a distinction was made between the working classes and other classes. Why, what does that refer to ?

THE EARL OF DERBY was understood to say that it referred to the statistics presented to Parliament by the late Government.

THE DUKE OF ARGYLL : Exactly. I knew that, and this is the admission which I desired to elicit. The noble Earl says he regrets these statistics as tending to draw a line of separation between the working classes and other classes. Who compelled us to produce those statistics ? Whose argument was it, separating class from class, which induced us to bring forward that information ? The noble Earl knows very well that he in this House, and his Colleagues in the other, had again and again complained that we produced no information as to the number of working men now forming the franchise and the number who would be admitted under our Bill ? And it was to meet their argument and supply the information for which they called that we produced these statistics. That was last year. But what happened this year ? In the first place what did the enigmatical sentence mean in the Queen's Speech about disturbing the balance of the Constitution ? Do we not all know what that meant ? Had we not the common sense to connect with it that which has so long been the language of the Tory party ? And then has the House forgotten—has the noble Earl forgotten—the Resolutions which he himself through his Chancellor of the Exchequer, laid upon the table of the House of Commons, and to which if the Government had had their way, both Houses of Parliament would at this moment have stood pledged ? The third of these Resolutions is in these terms—

> "That, while it is desirable that a more direct Representation should be given to the Labouring Class, it is contrary to the Constitution of this Realm to give to any one class or interest a predominating power over the rest of the Community."

Was this last year; and did this Resolution come from us ? This speech of the noble Earl is a perfect specimen of the manner in which the whole discussion has been conducted by the Government. I complain, then, of the unfair representations which have been made ; I complain that the noble Earl in his high position and with his high character and splendid talents, should have told the working classes that it is we and not he who drew this distinction. I say that this was an unfair representation of the facts, and it is a specimen of the manner in which the present Government has treated this question throughout the Session. I turn from this sad history—with which I am afraid I have wearied the House—of weakness and timidity in relation to this great question of Reform ; from parties disorganized, and from public men discredited—those most discredited who for the time seem most successful—I turn with hope and confidence, notwithstanding the predictions of my noble Friend near me, to the great body of the people ; because it is a people in full possession of that which is the most precious inheritance of nations—traditions which time has not dissolved and revolution has never broken—social conditions which in the main are sound, and, above all political instincts which I believe to be in the main true.

THE DUKE OF RICHMOND : I am desirous of offering some remarks to your

Lordships—particularly in consequence of what fell from the noble Earl opposite (Earl Granville) at a late period of the debate last night, in reference to the conduct of some Members of Her Majesty's Government, who had not up to that time addressed the House. My noble Friend seemed to infer that the only Minister capable of taking part in the debate of this House was the noble Earl at the head of the Government, and that others like myself were mere puppets put up on occasions when answers were required on any matter connected with the departments over which we preside; and that the whole task of defending this Bill devolved upon the shoulders of the noble Earl. I can assure my noble Friend opposite that he never was in greater error than in making this assertion; and I think the speech of my noble Friend the President of the Council, who closed the debate last night, is a sufficient answer to that suggestion. I am quite ready to admit, and do so frankly, that I place the greatest confidence in the judgment of my noble Friend at the head of the Government, and that if on any great question, I found myself differing very materially from him, I should be inclined to doubt whether I was correct or whether the opinions of my noble Friend ought not rather to prevail. With regard to the address of the noble Duke who has just sat down (the Duke of Argyll), I shall not undertake to follow him through all the various topics he has touched on; and it strikes me that he has throughout a somewhat lengthened address blown both hot and cold on this question. At one period of his remarks, I thought he was of opinion that we were hurrying on fast towards revolution. At another part, he showed us that the Bill was necessary, and that, probably from our experience of the past, inasmuch as the predictions uttered in 1832, of impending confusion and anarchy, were not borne out by the facts, we should be led to infer there would be no greater danger of revolution from this Reform Bill than from the Bill of 1832. In one of his remarks, the noble Duke was very much in error. He said that the whole Cabinet were steeped to the lips in pledges against any dealing with an extensive measure of Reform. Now, speaking for myself—and I think I may also speak for my noble Friend the Lord Privy Seal—I can say that on no occasion have we given utterance to sentiments such as the noble Duke has put into our mouth upon this question. He also stated that the principles of Reform had always been repudiated and disavowed by the party to which I belong. Now, I think, he must have forgotten what has been repeated on more than one occasion—namely, that my noble Friend now at the head of the Government, and who was at the head of the Government in 1859, introduced then a Reform Bill for the consideration of the House of Commons, and that that Bill was defeated by a Resolution moved by a noble Lord who has now a seat in this House (Earl Russell). I do not, therefore, think it is correct to say that the party sitting on this side of the House has disavowed heretofore all connection with Reform. The noble Duke also went into a great number of figures to show that by the operation of this Bill a vast number of voters of the poorest class would be put upon the register; but the mode by which he arrived at these results is so curious that I do not think we can put much confidence in his figures, nor do I believe that they show any accurate conclusion on the subject, inasmuch as he omitted to take into account the number of £10 householders who are at present excluded by the operation of the compounding Acts. The noble Earl who first addressed this House this evening, and who delivered a speech of great power (the Earl of Shaftesbury), fell into a singular error in regard to the admission of new voters to the franchise. He said, "Look at the great number of persons who will come upon the register through paying only the rate for the maintenance of the poor." But the noble Earl was not quite correct in this statement. Turning to the 3rd clause of the Bill the noble Earl will find that the claimant must have, on or before the 20th of July,

> "*Bonâ fide* paid an equal Amount in the Pound to that payable by other ordinary Occupiers in respect of all Poor Rates that have become payable by him in respect of the said premises."

The rates to which he would be liable would be all rates—not only poor rate, but the county, the police, and, in some instances, the borough rates. Therefore, the claimant must have borne a larger share of the burdens of the country than the noble Earl's remarks would imply. Again, with reference to the 4th clause, which relates to the lodger franchise in the boroughs, the clear annual value of the lodgings will have to include the lodger's proportion of the occupier's rates and taxes; and with that addition, I think, the noble Earl will find that he has overrated the number of poor persons, who, under this clause, will receive the franchise. Before I touch on the measure now before the House, I am anxious to call your Lordships' attention to the remarks made last night by the noble Earl the late Secretary for the Colonies (the Earl of Carnarvon). Although the speech of the noble Earl was full of eloquence and power, I listened to it with regret, because I considered it replete with much bitterness that was wholly unnecessary for the purpose which the noble Earl had in view. I think, even if it was necessary to prove that the Bill was of the revolutionary character he thought it was, he need not have made use of the language he did in reference to those who up to a late period were his Colleagues, and with whom he was acting in concert upon this very question. In speaking of the Bill the noble Earl stated that it would produce nothing short of a revolution. He said—

> "Reform is a correction of abuses, but a wholesale transfer of power from one class to another is a revolution, and this measure to which we are asked to give a second reading is, I believe, nothing short of a revolution. I know no single instance of any one Bill in modern times passed through any Legislative Chamber which has involved such enormous and abrupt changes, such an absolute break with the past history of a country as this Bill does. The only approach to it is that famous night in French history, when, at a single sitting, the whole of the legislation and government and traditions of France were swept away. I fully admit there is a great difference between the two cases; that this is a perfectly bloodless revolution; that this is a revolution effected without passion, without pressure, without enthusiasm."—[3 *Hansard*, clxxxviii. 1839-40.]

The noble Earl contrasts these seriously one with the other—a revolution which abolished a monarchy, destroyed a Church, and swept away an aristocracy, with a measure which, as has been stated by my noble Friend who introduced the Bill, will add something under 400,000 to the borough constituency, three-fifths of whom are to be found in thirty-five boroughs. If my noble Friend entertains this opinion of the Bill—if he believes it to be the revolutionary measure he has described—why does he not move its rejection, instead of calling upon the noble Earl opposite to withdraw his Amendment and allow the Bill a second reading? I will ask your Lordships to bear with me for a moment while I read an extract from a memorable speech made by Lord Palmerston upon foreign affairs in 1850. Lord Palmerston pointed out that there were two classes of revolutionists; he said the first were of the ordinary type, and he added—

> "But there are revolutionists of another kind—blind-minded men, who, animated by antiquated prejudices and daunted by ignorant apprehensions, dam up the current of human improvement, until the irresistible pressure of accumulated discontent breaks down the opposing barriers, and overthrows and levels to the earth those very institutions which a timely application of renovating means would have rendered strong and lasting. Such revolutionists as these are the men who call us revolutionists."—[3 *Hansard*, cxii. 433.]

I retaliate on my noble Friend, and call him a revolutionist of the kind so described by Lord Palmerston. I will not follow him in the bitter invective in which he indulged—it is seldom that speeches full of such violence are heard in this House. While listening to his remarks I could almost have fancied myself in the House of Commons in 1846, when, unfortunately, in the party strifes which took place upon the repeal of the Corn Laws, such speeches were by no means uncommon or unusual. I think I am justified in saying that the speech of the noble Earl was one of a violent character. This is the way in which he describes his former Colleagues—

> "Where are all the securities, where are all the principles, where are all the asseverations of Cabinet Ministers so freely made at the commencement of the Session? They have gone — they have disappeared. I wish very much they had gone to the land where all things are forgotten."—[3 *Hansard*, clxxxviii. 1841-2.]

Whether this wish is expressed with regard to the opinions of the Ministers, or of his late Colleagues themselves, does not appear to me particularly clear; I trust it may apply only to the opinions, and not to my noble Friend at the Head of the Government. The noble Earl continues—

> "I fear they will be long remembered and cited by those who are less friendly to my noble Friend than I am."—[*Ibid.*]

If this is a specimen of his friendship, I say, "Defend me, not from my enemies, but from my friends; leave me to the tender mercies of my enemies, for they cannot treat me in a manner much more cruel than friends of that character." The noble Earl adds—

> "They will be cited henceforth as monuments either of weakness or of dishonesty."—[*Ibid.*]

I think I am fully justified in the statement I made, that the speech of my noble Friend was unnecessarily violent to prove his case. My noble Friend further made a complaint which was quite unfounded. He said—

> "The measure has been sent up to this House by the House of Commons with a speed and an absence of discussion which would be remarkable even in a measure of minor legislation. My noble Friend at the head of Her Majesty's Government, in dealing with this question, seems to congratulate himself that all this was the work of the House of Commons. My Lords, I fairly own I am puzzled to say whether it be the work of the House of Commons, or the work of the Government, or the work only of part of the Government."—[3 *Hansard*, clxxxviii. 1843.]

Now, considering that, during five months of debate in the House of Commons, there were something like thirty divisions, in sixteen of which the late Chancellor of the Exchequer voted against the Government, I think it is hardly fair to say that the Bill has been unduly hurried. As to the insinuation that it is the production of only part of the Government, I wish to say the whole Government are as responsible for the whole measure as any one individual, and I consider myself as bound to every part of the measure as if I had been the sole author of it. Passing from these exaggerated and gloomy forebodings, of the late Secretary for the Colonies, I would now invite your Lordships to consider the Bill which has so frightened my noble Friend. It is not necessary to enter into any details of the circumstances which have led to the introduction of this measure. Every one of your Lordships is agreed — and indeed it has been admitted on many occasions during the progress of the debate — that Reform had become a necessity. Various proposals have from time to time been made in the other House of Parliament for reducing the franchise to £7, to £6, and to £5; but these propositions have never met with such a reception that a Bill embodying them could be carried. It therefore became necessary to consider what was the point at which probably the franchise could be satisfactorily settled. The discussions which have taken place have shown how difficult it would be to fix on any "hard and fast" line, if once the £10 franchise was to be abandoned. They would all be subject to the same objections, and, my Lords, I believe the point chosen by the Government, household suffrage, with the personal payment of rates, notwithstanding all that has been said against it, is the one which will furnish the basis of a permanent settlement. It is an old doctrine that taxation and representation should go together. I believe that the addition of 400,000 to the borough constituency, three-fifths of whom are in towns of the larger class, is a necessary, and will be a judicious, extension of the franchise. With regard to the county franchise, the Government had originally fixed the limit of occupation at £15, but we did not adhere to that figure, because the great bulk of the representatives of county constituencies requested that it might be reduced to £12. I cannot think the Constitution is so rotten that the admission of such a number of voters as this Bill admits will plunge the country into anarchy and revolution. There is one noble Lord who, at all events, will not join in the assertion that this measure is of a revolutionary character. I allude to the noble Earl whose name is identified with this question (Earl Russell). In order to show that the present measure is not of the revolutionary character described by the noble Lord opposite, I will read an extract from Earl Russell's book on the English Government and Constitution. In the last chapter, written in 1865, there is this remarkable suggestion—

> "What should be the precise amount of rent or of rating which should entitle the inhabitant of a borough to vote, or whether the old householder right of voting with three years' occupation might not usefully be the test, I will not here pretend to determine. The £12 rated franchise might well be adopted for English counties. A lodger suffrage of £10 rent might perhaps be added."

and again—

> "It is not expedient that the smaller boroughs should be extinguished by any large process of disfranchisement."

Why, my Lords, this is as nearly as possible the Bill of Her Majesty's Government. Now, in the course of this debate, we were rather found fault with because we had not extinguished a great number of the small boroughs in the country. My noble Friend the late President of the Council laid great stress upon what in his opinion was the weak point of the Bill. He said the re-distribution of seats was so faulty, so bad, and so imperfect that he did not give more than two or three years at the outside before it would be necessary to have a thorough revision of the whole scheme. Now, on comparing the plan of re-distribution which we propose with that contained in the Bill of last year, I confess I cannot see so great a difference as would warrant us in thinking that the plan in last year's Bill would be permanent, whereas ours would last only two or three years.

My Lords, I come now to the Amendment, which, as my noble and learned Friend on the Woolsack pointed out in the early part of the evening, is the real question before the House. And here I must assure the noble Earl (Earl Grey) that there is no one who recognizes more readily than myself his hereditary right to deal with the subject of Reform. I cannot forget the part which one very near and dear to me took with the Father of the noble Earl in 1832 in passing the measure of Reform through this and the other House of Parliament, nor the great respect, regard, and admiration which he entertained for the talents of that Statesman. When, therefore, I heard that the noble Earl intended to move a Resolution as an Amendment to the Bill introduced by the Government I looked forward with some anxiety to see what effect it would have. The Amendment is really of a most extraordinary character. It states—

> "That the Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question, or to promote the future good Government of the Country."

Well, if that is really the case I think the noble Earl ought to have moved the rejection of the Bill on the second reading; for it is clear that if the measure is as bad as he says it is, it ought not to pass the second reading. Then, having apparently forgotten what he had said in the first sentence—that the Bill is so bad that it will not promote a settlement of the question or the good government of the country—the noble Earl went on to say in his Resolution—

> "But the House, recognizing the urgent Necessity for the passing of a Bill to amend the existing System of Representation, will not refuse to give a Second Reading to that which has been brought to it from the House of Commons, in the hope that in its future Stages it may be found possible to correct some of its Faults and to render it better fitted to accomplish the proper Objects of such a Measure."

But the noble Earl never tells us what alterations he desires and what parts of the Bill he deems defective. It is obvious that if the whole Bill be defective, the whole Bill ought to go; but if part is good and part bad, then I think we have a right to ask what part of the Bill he objects to as being bad, and what part of the Bill does not in his judgment require alteration. The speech of the noble Earl, however, condemned the Bill more strongly than the Resolution does. The tenour of his remarks was that it was inexpedient to lower the existing franchise, that the £10 franchise should be retained for boroughs, and that any qualification below that was injurious and dangerous. Then, my Lords, the Government have been twitted on account of the course they have pursued in the House of Commons, and also on account of what was stated by my noble Friend at the head of the Government at the commencement of the Session. But what does it amount to? My noble Friend, in dealing with the question of Reform, stated that it was a subject which, in the present state of affairs, could not be settled by one side of the House without the co-operation and assistance of the other. He further said he thought the best mode of dealing with the question was to take counsel with the House of Commons, and to invite the House to assist and co-operate with the Government in order that such a measure of Reform might be carried as would promote the best interests of the country. We have been twitted with this, and told that that was not the mode in which we ought to deal with Reform. We ought, it was said, to bring forward a measure by which we were prepared to stand or fall, instead of acting upon suggestions which might be made, from time to time, from different sides of the House of Commons, and that if we did not introduce a complete scheme of Reform we were not worthy to remain in office. Now, what did Earl Russell say on this very question in bringing in his Bill of 1860? The noble Earl said—

> "And this I will say, that if you will propose any of the measures that have been mentioned this evening either for raising the franchise by making it a rating instead of a rental franchise, or by increasing the amount of the rental, or in another way that has been pointed out . . . any proposition of the kind shall be fairly considered by us in Committee. . . . If the House should prefer it to that which we have originated, it will be our duty to see whether the Bill with such an alteration would be a valuable measure, whether it would extend the franchise in a manner that would strengthen the institutions of the country; and in that case, though we might not think it a change for the better, we should be ready to adopt that alteration."—[3 *Hansard*, clviii. 1992.]

I maintain that the words of Earl Russell are the exact counterpart of the words made use of at the commencement of the Session by the noble Earl at the head of the Government. And if my noble Friend were wrong in the course he adopted, then Earl Russell was wrong in making that statement in 1860, which I suppose neither he nor any other noble Lord on this side of the House would be likely to admit. One extraordinary thing in the course of this debate is the jealousy of the noble

Earl opposite (Earl Russell) and his supporters of any attempt to deal with the subject of Parliamentary Reform by those who sit on this side of the House. It really would appear as if they had bought the fee simple of the question, and had got it strictly entailed on themselves and their heirs for ever. I cannot say that I have ever had the honour of visiting Pembroke Lodge, but I can almost fancy that were I to do so I should see this inscription over the door—"Russell, Sole Patentee and Inventor of Reform. None genuine unless signed by me. Imitators Beware." Really we are considered as if we were infringing a copyright in attempting to deal with the question of Reform. We are told by the noble Earl opposite that this is a question which we have never taken up honestly. [The Earl of CLARENDON: Hear, hear!] Well, I beg to tell the noble Earl that the Government have most honest convictions on the subject, that we have a right to take up the question of Reform, and that it is no more the vested property of the noble Earl and his party than is any other public question which may be brought before Parliament. I am of opinion that we have a right to deal with this question in a comprehensive manner; and I believe that we are dealing with it in a manner which will conduce to a practical and permanent settlement, and that it will put a stop to that mischievous and unscrupulous agitation which has so long distracted the country. I am therefore proud of the part I have taken in bringing in the Bill, and in asking your Lordships to assent to it. Before I sit down I will merely mention one fact which I think my noble Friend may be justly proud of —namely, that the measure of Reform now under consideration is the only one which, since the year 1832, has gone through the trying ordeal of passing through the other House of Parliament; it is the only measure for reforming the Representation of the People which has reached this House, and it is one which, I believe, will promote the prosperity, the peace, and the safety of this country.

THE MARQUESS OF CLANRICARDE said, he had no intention of addressing their Lordships on the Amendment under discussion; but the noble Duke who had lately spoken (the Duke of Argyll) had made certain assertions which rendered it necessary that he should say a few words. It had been asserted that of all the Motions made by Members of the Liberal party last year during the discussion on the Reform Bill of the late Government—from that on which the Government had a majority of 5 to that on which they had been defeated by a majority of 11—not one was of a *bonâ fide* character. He begged to give a direct denial to that assertion. He was enabled to assure their Lordships that the Motion made by a noble Relative of his (Lord Dunkellin) on the subject of rating being the basis of the franchise had been put on the Paper without concert with any other Member of the House of Commons. That Motion was brought forward on its merits. His noble Relative felt considerable surprise that no one else had given notice of such a Motion, and he said that if no other Member did raise the question he should do so. He (the Marquess of Clanricarde) could, from his own knowledge, assert the fact that not another Member in the House of Commons knew he was about to give notice of it. But before it came on his noble relative did consult a right hon. and distinguished Member for a county, that venerable Gentleman being better acquainted than he was himself with the details of rental and rating valuations. He could, therefore, state positively that, as far as the Motion of his noble Relative was concerned, it certainly had been brought forward *bonâ fide*, and the noble Duke was so far at least entirely mistaken. As he had risen on this personal matter, he would take the opportunity of observing that he thought it was not very becoming in Members of the Liberal party to taunt the present Government with their change of opinion on the subject of Reform. When the Duke of Wellington and Sir Robert Peel came round on the Catholic Question to views which had been for so long a time advocated by the Liberal party, and opposed by those two great men, that party did not taunt them. Again, when Sir Robert Peel, abandoning the opinions previously held by him, came forward with a measure for a repeal of the Corn Laws, his noble Friend (Earl Russell) and the Liberal party received him with acclamation as a honest and a high-minded Statesman. Acting on the same principle, he was prepared to give his support to the noble Earl at the head of the Government in his endeavours to pass this Bill, instead of taunting him, because he was offering a large measure of Reform. He did not think the Bill a bit too large, but he could not say that he thought it a very good Bill. He hoped his noble Friend (Earl Grey) would not press his Resolution; for, though he agreed in its statement that the measure was not satisfactory, he did not think it would be wise to adopt it. He objected to portions of the Bill having reference to the compound-householder and the re-distribution of seats, but he was not prepared to reject it as a whole. He might observe, also, that he regretted the Bill did not afford means for an expression being given to the opinion of the minorities, and he hoped that some such means would be proposed in their Lordships' House in a form that would enable them to enter a protest. He could not concur with those who thought that the position of the Reform question had not so advanced since last year as to make it necessary for the Government to take up the matter with a view to a settlement. Their Lordships must recollect that the most able and eloquent man in this country aroused the people of the North of England last year on the occasion when in five days he made six speeches, any one of which any man might have been proud to be able to deliver. Then there had been processions, with banners bearing such inscriptions as "Bright, Gladstone, Russell, and Manhood Suffrage." Under those circumstances, could it be said that we were in the same position as we were at the time of the lamented death of Lord Palmerston? Though not in any way connected with the Conservative party, he had been glad to see them come into power, because he knew they must take up the question of Reform and bring it to a settlement. As for the Bill before their Lordships, he thought that, whatever might be its demerits, the Government were right in adopting household suffrage, because it was the only resting-place. He believed that to be the opinion generally entertained throughout the country, and that there was no fear of class acting against class, as some persons seemed to apprehend. Therefore, though he thought the Bill required Amendments, he hoped that, with Amendments, it would be passed cordially and without delay.

Lord FEVERSHAM said, it might appear somewhat strange that after a period of only thirty-five years the House should now be called upon to make another constitutional change. But if their Lordships considered the history of parties in the interval, they would see that those sitting on that (the Ministerial) side of the House were not responsible for the change which had become inevitable, but that the responsibility really rested with the noble Earl, lately the head of the Government, (Earl Russell) and those acting with him. That noble Earl was one of those who were most instrumental in carrying the Reform Act of 1832, and after it was passed he said that the measure might be regarded as a final settlement of the question. But in the year 1852—so inconsistent was his action with his own declaration—he himself brought forward another measure of Parliamentary Reform; a course which he repeated a few years later as the organ of the Government of Lord Aberdeen; and other measures again were introduced by him in the years 1860 and 1866. But after these successive proposals, after the long debates which had occurred in the other House of Parliament, after the frequent changes of Government which had resulted from the agitation of this question, it was impossible for any Government, from whatever side or party it might be formed, to omit to deal with the question. It being, therefore, compulsory upon the present Government to deal with the question of Reform, what was the course most advisable to adopt? He frankly confessed that at one time he thought that a reduction to £6 or £7 might have been a desirable change—and he had never made any statement showing that he was opposed to a reduction of the franchise—but, after full consideration of all the circumstances, he had come to the conclusion that there was no safe and permanent resting-place till you got to household suffrage. The noble Earl opposite (the Earl of Shaftesbury) seemed to think that this was a measure which must end in revolution; and yet he, himself, declared that a reduction of the borough franchise was inevitable; and he suggested that the limit should be fixed at a £7 franchise. Noble Lords opposite objected to the Bill on the ground that it afforded no resting-place; but would a £7 franchise afford any resting-place? What did the right hon. Gentleman the Member for Calne (Mr. Lowe) say last year on this very subject? "Can you believe that this thing, which nobody wants, will be accepted as anything but a step to universal suffrage, or that it is likely to form in any way a permanent settlement of the question?" On the whole he (Lord Feversham) was of opinion that household suffrage, guarded by personal payment of rates and residence, would be safer than a £7 rental without any security of payment of rates, and with no assurance whatever that there would not be increased agitation for a further reduction of scale. The noble Earl who spoke first that evening (the

Earl of Shaftesbury) seemed extremely apprehensive of the lodger franchise. If he really feared its operation, it was open to him and other noble Lords to move either that the amount be raised, or that the clause be left out altogether. But, certainly, there were a great number of persons who would be admitted under the lodger franchise who would form a very respectable order of voters, and might safely be intrusted with the franchise. As regarded the Amendment of the noble Earl (Earl Grey) he thought it most unfortunate that the noble Earl should have thought it his duty to propose the Resolution he had moved. It expressed a sentiment, the accuracy of which he (Lord Feversham) denied. The Resolution stated that this measure could not be regarded as a permanent settlement of the question, and noble Lords opposite seemed to have accepted that view of it, and argued from that point. He (Lord Feversham) really would like to understand what noble Lords opposite would consider a permanent settlement? As regarded the borough franchise, at least, they could not make the assertion that it lacked the character of permanence. The noble Earl the mover of the Amendment went into a long argument respecting the compound-householder, contending that the provision doing away with compounding could never stand, and that it was necessary that in some cases the landlord should pay the rates. But he (Lord Feversham) must remind the noble Earl that it was on the Motion of an hon. Member on the Opposition side of the House, supported by the full strength of his own party, that the alteration was affected in the Bill upon the express ground that if the compounding system were kept up the principle of this Bill could not last. The Opposition side of the House insisted that the compounder should be abolished, and that every occupier should be liable to pay his own rates, with a view to the permanent settlement of the question; and now the noble Earl urged that this very alteration tended to impair the permanence of the settlement proposed by the Bill. As to the counties, it was quite true that no great demand for Parliamentary Reform had ever proceeded from them. The late Mr. Cobden, speaking at a meeting of Reformers in the West Riding, on one occasion, confessed that he regarded the extension of the franchise in counties as a matter of secondary importance, because there already existed the 40*s.* freehold franchise, which was within the reach of any labouring man. He (Lord Feversham) had had the honour of sitting in the other House as one of the representatives of a division of the county of York, where there was a large body of 40*s.* freeholders, and he was proud to say that they formed as Conservative a class as any other in the constituency. He consequently did not look with any jealousy upon a reduction of the franchise in counties. With regard to the reduction of the county occupation franchise from a £50 rental to a £12 rating, there could be no objection to that—it would enfranchise a very large number of most respectable persons whom it would be impossible to ignore. The noble Earl (the Earl of Carnarvon) said, last night that the reduction to a £12 rating would cause a great disturbance of the county representation in populous counties by the increase of voters in the unrepresented towns. But if the noble Earl had referred to the Returns laid before Parliament last Session, he would have found that the number who would be admitted under that change in the unrepresented towns, with a population over 5,000, was not so large by a good many as the number of those who would be admitted in the rural districts of the counties. So that the disturbance by which the noble Earl was so much alarmed would not, he believed, take place. He now came to the subject of re-distribution of seats. A great deal had been said by noble Lords opposite on that subject as to the impossibility of regarding the measure as a permanent settlement; but he (Lord Feversham) believed that no provision or proposal on this subject that could be framed was likely to be regarded as a final measure; but he thought there was good ground for believing that the settlement of the question proposed by the present measure was as good as any other which could be effected. No substitute for that settlement had at all events been suggested by any noble Lord who had spoken against it. The Government, it was true, were recommended to extend their scheme of re-distribution; but he should like to know how those by whom the recommendation was made would accomplish that object? Would noble Lords opposite like to see it attained by the disfranchisement of some of those small boroughs, such as Richmond and Ripon, in which they and their Friends were more or less interested? In dealing with the question of re-distribution of seats, the fact must never be lost sight of that counties were most inadequately represented as compared with boroughs, their relative populations being taken into account, and that that disproportion would still continue to be very great, notwithstanding that it was proposed to give twenty-five additional Members to counties by the present Bill. The very knowledge of that fact would, in his opinion, prevent any wide-spread agitation from taking place with the view to disturb the proposed settlement, because it would be felt that the counties might demand a large increase in the number of seats allotted to them if those small boroughs were disfranchised which had hitherto to some extent contributed to counterbalance the inadequacy of the county representation. The Government, he might add, had been taunted by noble Lords opposite with having failed to vindicate the consistency of their conduct in dealing with the subject of Reform. He was not there to offer any vindication of that conduct, because his noble Friends were perfectly well able to take care of themselves. He must, however, ask those noble Lords by whom the taunt was thrown out how it was that they had never thought of offering any defence of their own conduct, although they had sat for six years on the Ministerial Benches without fulfilling their political pledges? He did not know that he need trouble the House with any further observations. He would only add that their Lordships might be justly proud of the people among whom they lived; he, for one, entertained no feeling of alarm as to the consequences which might result from the admission of the working claases to the exercise of the franchise. He said so, although he was perfectly aware that the present Bill was a measure of a very wide and extensive character; but trusting to the energy, the intelligence, and the enlightened patriotism of his countrymen, he felt that in admitting them in larger numbers within the pale of the Constitution we should be strengthening their attachment to the institutions under which they lived, while, at the same time, we should be promoting the happiness and contentment of the people.

Lord HOUGHTON: I feel, my Lords, that, in dealing with an important subject such as that under our consideration, it becomes every man who has striven with ardour for the advancement of Liberal opinions to take care that he is not influenced by feelings from which the best and noblest minds are not exempt, and which are likely to arise from annoyance at seeing the objects for which he has laboured attained by different agents, and by other means than he desired. This, my Lords, is my position, and, I believe, the position of many more Members of your Lordships' House. The objects which this Bill proposes to accomplish are the very objects which we have long laboured to carry into effect; and noble Lords opposite have, perhaps, under these circumstances, a right to ask why we do not accept the measure with satisfaction and delight; why we should found any criticism upon it; why we should not hail them as converts whom we are glad to honour; and why we should not look forward with them in a common hope to the common advantage of the country? The reasons why it should be otherwise are to be found, I think, by examining a little into history, and by a slight study of the minds of men. No one can, in my opinion, seriously consider the political history of any nation without coming to the conclusion that it was a positive advantage that measures which must be carried by some one should be carried by those who had long laboured to promote them, who had made sacrifices for the cause, and, as it were, given hostages in its support. There is no noble Lord whom I address who does not, I imagine, believe that it would have been far better that the question of Free Trade should have been settled by the noble Earl below me (Earl Russell) than by Sir Robert Peel. I say this, not because Sir Robert Peel did not carry out the policy on the subject to which he became a convert with the most perfect earnestness and the most perfect honesty of purpose, but because it seems to me that in doing so he damaged not only his own political reputation, but the political reputations of those friends by whom he was surrounded, and filled the public mind with a distrust—I will not say of the truth and sincerity of their convictions, but of the political capability of the Statesmen not simply of the Conservative party, but of public men in general. It is because I entertain those views that I was sorry to see Catholic Emancipation carried and the repeal of the Corn Laws affected by the very persons by whom those measures had been previously constantly opposed. The result of such a state of things is that it is impossible a suspicion should not grow up in the country leading to the conclusion that those changes of opinion imply one of two things—either that our

Statesmen do not bring to the consideration of questions of the utmost importance that full knowledge and that ability which they ought to do, or else that alterations in their policy are produced by considerations of political expediency. Now, my Lords, I do not wish to speak of political expediency in terms of disrespect; it ill-becomes any man to do so who takes an interest in politics in a constitutional country. All I shall invite your Lordships to do is to consider whether this measure, brought forward as it is now, does not bear with it the inference that its authors are compelled to act as they are acting from some overpowering necessity, or some less worthy motives? I may be told that, so far as matters of detail are concerned, Parliamentary Reform has not been opposed by the Members of the present Government, or their Friends in the other House of Parliament. No man, in his senses, however, can believe that, if the Conservative party had frankly co-operated with my noble Friend below me and the representatives of the late Government in the House of Commons last Session, a result as to this very question might not have been obtained which would have been eminently satisfactory to Parliament and the country. Let me suppose that, instead of that long series of captious Motions which ultimately brought the noble Earl opposite (the Earl of Derby) into power, there had been, on his part, and on the part of his followers, a frank acceptance of the principle of the measure introduced by the late Government, and a desire to arrive at the best possible compromise as to matters of detail—can anybody imagine that, under those circumstances, a slight display of temper or a little over-earnestness, such as was attributed to the late Chancellor of the Exchequer — and no man possessed of his great powers, with a noble future before him, can always guard against displaying some little over-earnestness in a great cause—would have prevented the carrying of an important measure if the Conservative party had only met him in a spirit of conciliation, and with a sincere determination to do their best to aid the Government for the good of their common country? That was not, however, the spirit which was exhibited by the followers of the noble Earl last year; and therefore it is that we have come to the consideration of this question of Reform in the present year, not in that calm and philosophic manner which its importance demands, but with a good deal of party heat, and something of party animosity. I have no wish, nevertheless, to dwell upon the past. I will only say that I earnestly hope the present Government, having brought this great measure forward, and carried it through the House of Commons by means—I will not say unfair—but by means direct and indirect, will fairly consider the consequences of what they have done, and will not, as men and Statesmen, shrink from giving full and due effect to the machinery which they are about to set in motion. What I fear, and what seems to me to give a gloomy aspect to what others may regard as a joyful anticipation of bringing within the pale of the Constitution such large masses of the people, is that, in future, certain difficulties and collisions may arise between the upper classes in this country and the interests of the lowest classes of the community, as they will be represented in Parliament under the new order of things. The noble Earl at the head of the Government has desired, like Mercury of old, to be *superis deorum gratus et imis.* I do trust that there is no ground for the belief which is strong in the country that the Conservative party look forward, by dint of some species of management and manipulation, to prevent the free exercise of Liberal opinions. If it does, I am sure it will find itself very much in error. I am sure that, if it thinks it will find anything like general servility or unworthy feelings in what are called the lower classes of this country, it is only deceiving itself. Among the lower classes, no doubt, there may exist many foolish opinions and mistaken sentiments; but let education be extended among the people, and there need be no fear of the admission within the pale of the Constitution of those large classes and those new interests. Still, the introduction of those classes and interests will inevitably bring with it certain consequences, for which your Lordships will do well to be prepared. In his great work on Democracy M. de Tocqueville clearly recognizes and powerfully enforces the absolute necessity of rulers understanding and being ready to meet the natural and inevitable tendencies of that principle of Government. I ask those who, by their votes to-night, are about to invest with the elective franchise untold millions of future Englishmen, to recognize and comprehend the sacrifices and the duties which they are necessarily imposing on their own party. When you have placed your representative system on the broad and popular basis which you are now proud of doing, and are taking credit for doing, do not shrink from the inevitable effects of the machinery which you have created. When measures come up hereafter from a democratic House of Commons, affecting, as they will do, many points of your social life which you hold dear, and in respect to which your opinions may differ widely from those entertained by the masses of the people—when questions affecting the distribution of property, affecting the incidence of taxation, affecting, perhaps, your own daily amusements, as in the case of the Game Laws, come before you, as they must do, with all the weight derived from a democratic House of Commons, do not let your Lordships be found encountering them in an angry or an undignified spirit. Do not forget that to-night you are inaugurating a democratic House of Commons, and that you have the means of meeting and of moderating the action of that great assembly by using your own great influence, power, and intelligence through the many legitimate channels which are open to you. You can influence the large sphere of society in which you move, and in which you are justly respected ; you can influence them, not by the arts of corruption and intimidation, or by any of those methods which only occur to ignoble minds, but by the just and salutary means which your high authority and position have given you. If you follow out those principles you may inaugurate a great and happy era in the history of this country; and, instead of collisions occurring between the democratic power and the power of this House, this House may acquire still greater authority, still greater interest, and still greater sympathy in the minds of the people of this country, who cling with great tenacity to the traditions and influences of the past.

The Earl of HARROWBY said, the real state of affairs with which their Lordships had to deal was simply this—that they had a great measure before them, a measure to which they must attend, and one the greater part of which must be passed into law. The noble Lord who had just sat down (Lord Houghton), said that that Bill was the inauguration of democracy — and certainly that was no light matter. They had not to consider what particular party — whether Whig or Tory — had brought them to their present position ; but, being in that position, how they should deal with the great measure before them, without regard to the antecedents of either side, or even to the antecedents of the other House of Parliament. He thought that a question of this kind should be treated in their Lordships' House— the great Senate of the Empire—in a higher tone than had characterized these discussions elsewhere. They were told—and he thought no one would dispute the fact—that they were about to inaugurate a democracy. Now, they knew what democracy elsewhere had been, and they could not flatter themselves that its consequences in England would be entirely different from what the world had ever seen before. Their Lordships were told they might rely on the social condition of the country ; but then that social condition was in a great measure dependent on the political condition; and one of the first efforts of democracy would be to employ its power to get rid of those social influences on which alone reliance was now rested, having first got rid of all their constitutional safeguards. It was wise, therefore, to look around and see at least whether there was not something which might mitigate at least the immediate effects that were anticipated as the consequence of their present proceedings, and here he must earnestly protest against the phrase so often used in connection with this question — namely, "the enfranchisement of their fellow-subjects." Surely Englishmen were not slaves, even though they might not be voters. If the doctrine they heard on that point was to be admitted, then, even after the passing of that Bill, there would still be millions of slaves left in England. But that notion was founded on an erroneous idea of what English freedom was. That freedom was the right to say and do what was within the law—it was freedom of action, freedom of thought, freedom of the press—a freedom which no other country had enjoyed or did enjoy at this moment. Was the freedom of America, though she possessed universal suffrage, greater than the freedom of England? Was the freedom of France, though she likewise possessed universal suffrage, greater than that of this country? The people of those countries according to the detestable and abominable theory he was adverting to were freemen, while those of England were slaves. No refutation of such an argument was necessary. The great problem, however, in dealing with the present question was how to give a more extended suffrage to the poorer classes of their countrymen—which he admitted to be desirable in itself—without extinguishing the suffrage of all the rest of the community. Was that problem solved by this Bill? Had the measure so arranged matters that in enfranchising numbers they would not disfranchise the existing constituency? Why, the effect of the Bill would be to throw all political power into the hands of the poorer classes. There was not a single borough in which the poorer classes would not absolutely have the predominance; and as the towns governed the House of Commons, and the House of Commons governed the country even as it was, and would govern it still more after the adoption of that measure, what they were practically doing by this Bill was not to enfranchise the poorer classes, but to disfranchise every other class. The influence of property would be first attacked. In proof of that a Gentleman who had just been returned for Birmingham as the Colleague of Mr. Bright, said, in his address to the people there the other day, if he were returned he would vote for putting a check upon the accumulation of landed property. He said nothing, however, about preventing the accumulation of commercial property, or property in the funds. He quoted this as a specimen of the language they might look forward to for the future. It was impossible to expect that questions of this kind would not arise. They would be raised, and property would become the object of attack in every form. The towns would be under the domination of the poorer classes—and the towns had more than two-thirds of the representation—and though the noble Earl (the Earl of Derby) had referred to the inadequate representation of the counties, he had not redressed the injustice. The result, therefore, would be that our Constitution would have no elements of stability, and that it would be entirely under the control of the poorer classes. Education might do something to mitigate the evil; but the character of men was formed more by institutions than by the education given at schools. Would schools make men wise and moderate, and free them from the temptations to hold opinions on political and social matters, to which the poorer classes were naturally exposed? These were the reasons which should induce him to vote for the Resolution of his noble Friend (Earl Grey), should he press it to a division, not for the purpose of obstructing the Bill, but with the view of introducing into it those modifications and changes which would, in some degree, mitigate the dangers and evils which he was afraid would result from it in its present shape. He believed their Lordships would be supported by public opinion in so doing, for, both publicly and privately, people spoke with bated breath of democratic ascendancy, and he thought the House of Commons would be glad if they carefully went over the Bill, it having been bustled through that House with conflicting decisions, so that Members sometimes hardly knew what the result was. He desired, while giving increased representation to the poorer classes, to accompany the measure with such precautions as would secure, not to their Lordships, not to the rotten boroughs, but to the middle and educated classes, their due share in the Government of the country.

LORD CAIRNS: My Lords, there are three subjects of very different relative importance which have been brought before the notice of your Lordships in the course of this discussion. There is first the question of the merits or demerits of the Bill before the House; the second is the question of the Amendment which has been submitted to you by the noble Earl (Earl Grey); and the third is the question which has hitherto occupied the greater portion of the debate—the consistency or inconsistency of the Conservative party. The noble Earl who has just sat down (the Earl of Harrowby) differed materially in one respect from the speakers who preceded him; for I think he is the first Member of the House who has announced his intention of supporting the Amendment. He has, moreover, abandoning that topic which has hitherto been the staple of this debate—the question of the consistency of the Conservative party—addressed himself to what is, I venture to think, the more important subject with which we have to deal—the question of the merits or demerits of the Bill before us. I hope the noble Earl will forgive me for saying that I am not able entirely to follow the argument which he has addressed to us. The noble Earl contends that the result of the Bill will be that in every borough in the country the poorer classes will have the majority, and that therefore the poorer classes will govern the boroughs, the boroughs will govern the House of Commons, the House of Commons will govern England, and thus the poorer classes will govern England. Now, my Lords, this rather reminds me of the old example of reasoning, which was never, I believe, regarded as very accurate — the child of *Themistocles* governed his mother, his mother governed her husband, her husband governed Athens, Athens governed Greece, Greece governed the world, *ergo* the child of *Themistocles* governed the world. The conclusion of the noble Earl was one of the same kind. Now, my Lords, the merits or demerits of the Bill resolve themselves into the consideration of its four cardinal features—the borough franchise, the lodger franchise, the reduction of the county franchise, and the re-distribution of seats. I quite agree that, of these four propositions, the most important is the borough franchise; and putting aside for a moment the examination of the charges of inconsistency which have been brought forward, I would ask your Lordships to consider this question as if we were free from any party recrimination on one side or the other. What is the point from which we have to start in dealing with the borough franchise? I venture to say, without hesitation and without fear of contradiction, it is this—that the borough franchise cannot be maintained as it now stands. I do not say whose fault it is—I do not say whether it is a good thing or a bad thing — but the fact cannot be disputed that the existing borough franchise cannot be maintained. That franchise was created in 1832, and was created, as I think every one will admit, in a sort of rough-and-ready way—not upon any abstract principle such as the noble Duke opposite (the Duke of Argyll) contended for, but as perhaps a somewhat hasty solution of the difficulty under which the Government of that time had to act. There is no doubt that in fixing the borough franchise at £10, what was done was substantially to create a privileged class in each constituency out of the householders of the country at large. I agree that the measure has worked extremely well; and, as far as I am concerned, I should have been very glad had the country remained satisfied with that suffrage. I believe that as it has worked well in time past so it would work well in time to come. It is useless, however, to express our opinion as to what we should have been content with, for I repeat that, as a matter of fact, we must start from this point — the impossibility of maintaining the borough franchise as it now stands. But, I ask your Lordships to go a step further; I maintain that it is utterly impossible on either side of the House for a measure to be brought forward and submitted to Parliament which should attempt to fix the borough suffrage at a higher figure than, at the highest, £6. Again, I will not stop to inquire the reason of this, or who is responsible for it; but I maintain that, as a matter of fact, you have no choice but to start, not even from a £10 franchise, but from a £6 franchise. Now, let us consider seriously on what reasoning you could maintain a £6 franchise, even supposing it were passed into law; I can quite understand that there might be strong grounds for insisting on the continuance of the £10 franchise. It would be a very fair argument to say, "Never mind how that franchise was originally introduced; let it have been introduced without a principle and without any particular reason for it; but here it is—it has existed some thirty-five years, and the very fact that it has had such duration, and that the privileged class created by it has exercised its power so long and so well, is of itself a reason for maintaining the suffrage at that point." But, abandoning that point, as you are obliged to do, I ask what reason there is for creating a new privileged class in this country? Upon what ground can you say to the householders "We will create out of you an entirely new privileged class, in whose hands we will deposit political power in the boroughs, and every person who does not come up to that prescribed figure of £6, however virtuous he may be, however excellent a citizen, however worthy of trust and confidence, must be excluded?" I would ask, moreover, whether there is any person in the country at this time who proposes to accept £6, or any other specific amount, as an *ultimatum* — as a point at which the question may be settled, and from which there should be no subsequent departure? I apprehend, my Lords, that there is no one who has stated his readiness to accept that figure. And have you any doubt as to the result if, at this time, a Bill were introduced in the other House of Parliament proposing for the borough franchise the figure of £6 instead of £10? I will state to your

Lordships what would happen if that were done. As certain as a measure was laid upon the table of the House of Commons proposing a £6 rental franchise you would have a counter proposal from the opposite side of a £5 rental — you would have something analogous to what is termed a "Dutch auction," where everybody bids down instead of bidding up, and you would have the two great parties in this country divided by the wretched controversy whether the franchise should be 20*s*. higher or lower.

Now, my Lords, I have submitted these few observations to your Lordships for the purpose of asking you to follow me to this extent—that just as you are unable to remain at the present point of £10, so it is utterly impossible to select any figure—be it £8, £7, £6, or £5—where you could expect to find any permanent resting place in the agitation for Reform in this country. If that be so, the consequence is inevitable —that we have no place at which we can halt unless we adopt the principle of giving the suffrage to the householders generally of this country, that is, to the householders living in Parliamentary boroughs, and complying with such conditions, as to residence and payment of rates, as may be thought expedient. Now, what are the objections raised to the suffrage as it stands in the Bill? My noble Friend who sits behind me (the Earl of Carnarvon), to whose words of eloquence and nervous power we all listened last night with unqualified delight, even though we might not look at the subject from the same point of view, said that his main objection to this franchise was its uniformity. Now, my Lords, I must say I am unable to understand that objection. It appears to me that if this suffrage has one merit above another, it is that it is not liable to the charge of uniformity. I can understand my noble Friend saying that the £10 franchise is a uniform franchise, or, that a £6 franchise—a franchise to which I believe my noble Friend under certain conditions was willing to accede—would be a uniform franchise; and so of any other figure which might be proposed. But if there be one kind of franchise which avoids the charge of uniformity it is, I apprehend, that franchise which says to the householders of the borough constituencies at large, "Provided you discharge the duties which are laid upon you in the shape of taxation, and have resided for a certain period, no matter what the value of your house may be, or the rent you pay, you shall have a vote." What was the next objection to this franchise? It was that this is household suffrage pure and simple. My Lords, you may approve this franchise or you may not; but it is not household suffrage pure and simple, because it is accompanied by these three most important qualifications—the qualifications of residence, of liability to rates, and third, and not the least important, of prepayment of rates. Now, there can be no greater or more important qualifications attached to the franchise if you desire to ascertain the competency of the persons who are to exercise it. By requiring a period of residence—I do not speak of the length it is to be—you avoid a class of persons of a migratory character. By liability to rates you insure on the one hand that the person who is to exercise the suffrage has to bear his share in the burdens of the country; and, on the other hand, by the prepayment of rates, that he is giving a fair and reasonable proof of his thriftiness and punctuality in the discharge of the burdens laid upon him. But then it is said that these conditions may be swept away. If that is a prophecy, I am not able to answer it, for it is impossible to refute a prophecy; but if it be the statement of a fact, then I admit the conditions can be swept away, and so can any system of suffrage you may establish. There is no point at which you can fix the suffrage, no condition which you can annex to it, which the power of Parliament cannot sweep away. To say, then, that it may be swept away is simply to assert what no one can dispute—the omnipotence of Parliament. But as to the permanence of such conditions we have a case in point. Parliament in 1832 annexed as a condition to the franchise the prepayment of rates. That was thirty-five years ago; and I am told that persons have sometimes found that condition irksome, and yet I believe there has not been any agitation for the removal of that condition. I think the proposition has never been made until within the last few years, and judging from what has occurred last year I do not think the proposal to get rid of the prepayment of rates is ever likely to find much acceptance in the other House of Parliament. But what is the other and third objection to this franchise? I have listened with great attention to the statement of the noble Earl who moved the Amendment (Earl Grey) for the purpose of discovering what was his objection to the household suffrage created by the Bill. The noble Earl made some very large admissions. He owned that the idea of household suffrage had great charms for him, that there was a great deal to be said in its favour, and that it had long appeared to him to be the ultimate resting place in our system of representative Government. But what are the objections which the noble Earl now urges against the suffrage? Now, my Lords, I pray you to observe the great objection which the noble Earl entertained. He said—"You are taking up this suffrage at the expense of disturbing the existing relations as to rating between the owners and occupiers," and he told your Lordships that there was great apprehension felt by the vestries at the idea of the rates being thrown upon the occupiers, as from their past experience they knew it would be impossible to recover the rates from the poorer class of occupiers. I cannot help thinking that such remonstrances as have been made by the vestries upon this subject have been made without full consideration of the working of this measure. My Lords, without going in detail into that most obnoxious question of the compound-householder, what is the point in substance? It is that in those cases where compositions were allowed, the owner of the small tenements paid, say £75, in consideration of collecting the rates himself, whereas these tenements, if the rates were thrown upon the occupiers, would have paid £100. But the difference between the £75 and the £100, if properly calculated, was intended to represent nothing more than the cost and risk of collection if the rates were thrown on the occupier, not the owner; and if that be true, I am at a loss to know how the vestries can lose anything which they are entitled to receive if the rates be properly collected. And then there is another consideration which these bodies appear to have entirely overlooked. They speak of the difficulty of collecting the rates under the old system. They have not had any experience of what the effect will be when the payment of rates, as a condition of the franchise, comes to operate upon the occupiers of these small tenements. Vestries assume that it will be no inducement to an occupier to pay his rates when he knows that if he does he will obtain the franchise. That, however, is assuming too much. But returning to the noble Earl's argument, it appears to me that the two portions of it were not merely inconsistent with each other, but positively suicidal; because it amounted to this—"You are making an arrangement which will be disastrous to the vestries, because the rates thrown upon the small occupiers will be lost; and, on the other hand, the small occupiers in the boroughs are so numerous that they will outweigh and overpower every other class of voters." Now, the noble Earl cannot have it both ways. If the rates are lost to the vestries, the small occupiers will not entitle themselves to the franchise; and, on the other hand, if they outnumber the electors over £10, they must have paid their rates and met the claims of the vestries.

Now, my Lords, I pass from the borough to the lodger franchise. I own it has always appeared to me that, considering the matter in an abstract point of view, there was no kind of franchise which had more to recommend it. The question of the amount at which you should fix the qualification is a wholly different one. But suppose you had a fair and proper amount, I want to know why the fact that the circumstances of a man do not make it necessary or convenient to keep a dwelling-house—his being unmarried, or without a family — and he is therefore not liable to payment of rates—I say I want to know why a man thus situated, who is able to afford a lodging of a proper amount, should be prohibited from the possession of the franchise? In a Conservative point of view, supposing that the franchise is not degraded to too low an amount, I think the lodger franchise is one which may well commend itself to the attention of the Conservative party. There was a circumstance at which I was somewhat surprised, and which seems to me to afford a curious proof of the different workings of different minds. I heard my noble Friend behind me (the Earl of Carnarvon) say last night that the lodger franchise is a necessary introduction to manhood suffrage.

The Earl of CARNARVON: I said that the lodger franchise rested on a very precarious line, which, if broken, would land us at once in manhood suffrage.

Lord CAIRNS: Of course you could not come to manhood suffrage until the present line was broken. Now, I join with every one of your Lordships in admiring the high, conscientious motives which have influenced every step taken by my noble Friend on this question, and I do not, therefore, mention by way of taunt the fact that he was a Member of the Government of 1859, though not in the Cabinet, by which a lodger franchise was proposed in the House of Commons. But what I was going to ask your Lordships to observe was the different way in which the same question strikes different minds. My noble Friend looks upon a lodger franchise as a source of danger, and as placing us on the high road to universal suffrage. There is a right hon. Gentleman, a Friend of mine and his, in "another place," whose marvellous eloquence and ability no person admires more than I do—Mr. Lowe. He has certainly shown the most prudent caution with regard to any alteration of the suffrage; and I should judge, from what we heard from my noble Friend last night, that in a great many respects his views agree with those of Mr. Lowe. Now, how does the question of the lodger franchise strike Mr. Lowe? When the Bill of the Government was introduced into the other House of Parliament there was no proposition for a lodger franchise. What did Mr. Lowe say? He said—

> "It is a great omission in the Bill of the Government that they do not deal with the important question of lodgers. If universal suffrage finds its way into this country it will be through the lodger franchise if neglected. You will go on lowering the franchise for houses until there comes to be a great disparity between tenants and lodgers, and then the lodgers will get it removed; and as everyone is either a householder or a lodger, unless like Diogenes he lives in a tub, or sleeps under the dry arches of Waterloo-bridge, you will get a very low franchise indeed. This is a matter that calls most imperiously for arrangement." —[3 *Hansard*, clxxxv. 964.]

Now, my noble Friend is, of course, not bound by what Mr. Lowe says; I only mention this in order to show how easy it is to conjure up evil on the one side or on the other with reference to a franchise of this kind. My noble Friend sees in the lodger franchise an element of danger, and thinks it would land us in manhood suffrage. Mr. Lowe thinks that the neglect of a lodger franchise would be eminently dangerous because it would have exactly the same result. But then it is said with regard to the lodger franchise, "You take the 'hard and dry line' which you have abandoned with regard to the household suffrage." Of course you do. You cannot help doing so. I want to know what other line you would have? Would you take the line which Mr. Lowe suggests—the line of the tub? When you deal with those who have no dwelling-house, and who are not subject to rating, it is necessary to take a "hard and dry line" for the purpose of determining their right to the franchise. Everything I have said is entirely irrespective of what the line should be; and I will say candidly—though I do not know how far the Government think the line at present drawn desirable or not—that it seems to me to be not a very good line. It looks very much as if the limit of £10 had been selected merely upon the old decimal principle which led to the £10 limit in the Reform Bill of 1832. Now I think, in the case of lodgings, you ought to provide a test based on some intelligible principle. Nothing can be more various than the different rents paid for lodgings in different places. You will get in a provincial town for £10 a year a lodging which will indicate a great amount of respectability and steadiness on the part of the person who occupies it: but for the same sum in London you will get a wretched room hardly fit to be compared with the tub of Diogenes. So great is the rent of rooms in London, that what may be a good line there, is utterly unsuitable as a line in any other town in the kingdom. I would rather see a £20 lodger qualification fixed for London; for large towns with over 100,000 inhabitants, £15; and for smaller boroughs, a line of £10. But whatever is done ought to be done on some steady and intelligible basis.

Now, my Lords, let me say a word with regard to the reduction of the county franchise. On this matter I think we are all agreed. In the first place, nobody suggests that it would be desirable to retain the county occupation franchise at £50. In the next place, we must remember, that the House of Commons in the present Parliament, upon an issue presented to it last year, has distinctly negatived the line of £20 as too high. You therefore have to depart from the £50 county franchise, and you find it impossible to have a franchise so high as £20. Under these circumstances the Bill proposes a £12 rating franchise, which will be something like a £14 or £15 rental—a somewhat higher limit than was proposed by the Bill of last year. There, again, you may say is a "hard and dry line." So it is; but you have in the case of counties, a difficulty to deal with which it is difficult to see any way of getting over. If it could be got over, it would be better to have a yielding and elastic line. The difficulty is that you cannot base your county occupation franchise on a dwelling house. Such a basis would be entirely foreign to the policy of a county franchise; and therefore, though the hard line for counties is very much to be regretted, I do not, at present, see how it is to be avoided. My noble Friend (the Earl of Carnarvon) objected to this part of the Bill because of the effect it would have upon the county constituencies, and he made a quotation on this subject from Mr. Mill's work. Now, I cannot help thinking that my noble Friend misapprehended somewhat Mr. Mill's object in making that statement. What Mr. Mill said was that if you have a £10 franchise in counties, the result will be that the £10 occupiers will outvote the landlords and the agricultural tenants together. But the drift of Mr. Mill's argument was not against lowering the county franchise at all, but to prove that you should carry it down still lower, in order, by bringing into the ranks of the constituency the class of agricultural labourers and occupiers, to prevent the £10 occupiers in large rural towns from having a predominating influence in counties. That is a question well worthy of consideration, if any means could be devised of departing from the "hard line" of a £12 rating suffrage. But the difficulty I have suggested exists, and I repeat I do not at present see how it is to be got over.

Well, then we come to the question of re-distribution; now, no system of re-distribution was or ever could be proposed which was not open to objection. But although we have heard noble Lord after noble Lord rise and object to this scheme of re-distribution, I have not heard from any noble Lord what he would suggest as an alternative. We have heard many complaints of the scheme in the Bill; we have heard no specification of what ought to be substituted for that scheme. Of course in all these cases, it is a choice between two evils and it is impossible to answer arguments when you are not presented, by way of contrast, with what is to be substituted for the measure proposed. There is, however one point connected with the re-distribution of seats which I think is worthy of the deliberate attention of your Lordships either at this or at some subsequent stage of the Bill. The re-distribution part of this Bill proposes to create four new constituencies, which are to have three Members each. At present you have in England seven or eight constituencies returning three Members each. You are now asked to create four more—so that you will have in all twelve three-cornered constituencies, as they are termed. I own I look with great jealousy upon these three-cornered constituencies, dealt with in the way they are proposed to be dealt with. We hear a great deal about the old lines of the Constitution. I beg leave to say that no line in the Constitution ever knew anything about three-cornered constituencies; they are entirely a modern innovation; they were never heard of until the Reform Bill. The way they were introduced was this—the Government of the day had disfranchised all boroughs that they thought ought to be disfranchised, and they had supplied all places which they considered required Members, and they had some seven or eight Members left. They did not well know what to do with them; and at last they accumulated them upon the seven or eight constituencies which now return three Members. The old theory of the Constitution was that every constituency in the kingdom should return two Members, and neither more nor less, except London, which was always an exception. I had recently occasion to look at the Roll of Parliament of the reign of Henry VIII., and I found that 111 boroughs returned 222 Members to Parliament. I believe that no constituency had ever returned more than two Members except London; and that no constituency ever returned one Member until some Welsh boroughs were created. I want your Lordships to consider the great inequality of the electoral power which is created when you have got one constituency returning one Member, another two, another three, and another (the City of London) four. Take London, Liverpool (which is to have three Members), Stafford, and Birkenhead, and you have constituencies returning respectively four Members, three, two, and one. Take the case of a householder in each—men living in houses of exactly the same kind, and occupying the same social position. In London the householder has a share in the creation of four Members of Parliament; in Liverpool he will share in the creation of three; in Stafford he may vote for two; and in Birkenhead for one. There cannot be a greater inequality in the exercise of electoral power than that which gives a different number of Members to different constituencies. You may say it is not of much consequence when you have only twelve of them; but we had only eight, and now we are to have more still. I want your Lordships to consider what was the consequence of the rule of the Constitution that each constituency returned two Members only. It was the constitutional way in which minorities were represented. You had got constituencies all returning the same number of Members. If the advocates of any view were in a minority in one place they were in a majority in another; and in that way all opinions in the country were represented. The more you accumulate votes upon any particular constituency, of necessity you must lower the total number of constituencies in the kingdom. You cannot accumulate Members upon constituencies without taking them from others; you therefore reduce the chance of the minority throughout the country of having their opinions represented. I am not going to say anything in favour of cumulative voting. I believe there are such serious objections to it that, although much may be said in its favour, I do not think your Lordships could be induced to accept it. With regard to these three-cornered constituencies, however, if you are going to add to their number, there is a proposal, made by the noble Earl opposite (Earl Russell) in 1854, which I do say is well worthy of full consideration. I allude to the proposal that in these three-cornered constituencies the electors should vote for two out of the three Members. I cannot help thinking that a measure of that kind would be productive of excellent consequences. I do not say this from a party point of view, for it would leave both parties where they are; but it would be an excellent thing to find the homogeneousness and monotony of the representation of large manufacturing towns broken in upon by an arrangement which would enable a Member of opinions differing from those of the majority to come in contact both with electors and with the Legislature as the representative of that which, after all, is one of the most important of constituencies, the minority of a large commercial or manufacturing town. You are destroying—I do not say improperly destroying—the smaller constituencies; you are overlooking what I believe to be portions of the finest constituencies in the kingdom, the minorities in large commercial towns, which at present have no direct representation; and I venture to throw out the proposal I have referred to for your Lordships' consideration. I regret the proposition was not distinctly made in the other House of Parliament. The House discussed the suggestion of cumulative voting, which I am sure the House of Commons never would agree to, because it would disturb the seat of every Member in the House; but the proposal I refer to would not disturb a single Member's seat.

My noble Friend behind me (the Earl of Carnarvon) objected to the Bill on the ground of the great haste with which it had passed through the House of Commons. I do not know what the noble Earl means by haste; but I am somewhat anxious to learn what he would think was leisure. The Bill itself and the discussions which paved the way for it have occupied the House of Commons as nearly as possible five months. I do not think this is an instance of great haste or precipitation. Considering that the debates of past years have covered a great deal of the ground which had to be gone over if the House of Commons could not in five months pass a Bill altering the Representation of the People, I confess I do not know in what time it could do it. Another and a graver charge made against the House of Commons by the noble Earl who moved the Amendment (Earl Grey), and repeated by the noble Earl opposite (the Earl of Camperdown), whose first speech your Lordships listened to with so much pleasure, is that although this Bill has passed through the other House of Parliament, it is a Bill which more than three-fourths of the Members of that House dislike or detest. I do not think it promotes harmony and good understanding between the two Houses of the Legislature to make such a charge as that. It is a charge of the grossest hypocrisy against the Members of the House of Commons to say that they have deliberately passed through all its stages one of the gravest and most important of measures which could have been sent up to this House, and that while professing to approve it by their votes, in their hearts they disapprove it. I freely admit in regard to every Bill for altering the Representation of the People it seems natural that a representative assembly should look upon it, from a selfish and private point of view, with dislike. It must be so. It is impossible that a representative assembly can ever, if they consult their own inclinations and views, look with much delight on a Bill to annihilate their own existence and alter the constitution of their assembly. I believe there is nothing but a sense of public duty which can ever induce the House of Commons to pass a Bill to Amend the Representation of the People. I believe, however much from a selfish point of view they may have preferred a continuance of the present state of things, a sense of public duty, of the highest and most noble kind which can actuate public men, led them to pass the Bill now sent up to this House. If suggestions of the kind referred to were made against your Lordships in the other House, how would they be approved by your Lordships? Suppose, my Lords, insinuations of this kind were made as to this present debate. I have heard noble Lords opposite rising one after another and stating — I heard the noble Lord the late President of the Council and the noble Duke near him (the Duke of Argyll) both state — that they liked household suffrage very much, that they could not have too much of it, that they are firm believers in it; and then—a most singular thing—whenever we are warned from this side of the House in solemn tones against household suffrage and the consequences that are likely to ensue from it, the cheers come from the front Benches on that side of the House—

Earl GRANVILLE: Although I admired the ability of the speech of the noble Earl opposite (the Earl of Carnarvon), I never cheered any portion of his remarks which were directed against household suffrage.

Lord CAIRNS: I say that the cheers which, coming from those Benches, applauded the attacks made upon household suffrage by various speakers on this side were much more demonstrative than one is accustomed to hear in your Lordships' sedate discussions. However, suppose I were to dispute the sincerity of any of your Lordships' professions on this point, that would be only equivalent to what has been said of the House of Commons. The House of Commons send up solemnly the Bill which is now before your Lordships, and yet statements have been made here that the House of Commons have passed a measure which they detest in their heart.

Allow me now to say a very few words on the second part of the question—namely, the character of the Amendment which has been submitted to you. I should be very sorry to say that anything proceeding from the noble Earl (Earl Grey) was hardly Parliamentary; but really I am bound to doubt very much whether any Amendment of this sort was ever before presented to Parliament on the second reading of a Bill. I have always understood that on the second reading of a Bill two kinds of Amendments might be proposed. One kind was an Amendment that the second reading should be postponed to a distant day, with a view of defeating the Bill altogether. The other kind of Amendment is when there is an objection to any particular provision or principle of a Bill. In this case it has been considered of late years that you may make that particular provision or principle the subject of a Motion on the second reading, for it might be convenient to take issue on that particular point before going into Committee, in order that those who had charge of the Bill might consider whether they would withdraw the Bill or make such alterations as the House might require to be introduced. An Amendment of this latter kind was proposed on the second reading of the Reform Bill in the House of Commons in 1859, as perhaps some of your Lordships may remember. But the present Amendment belongs to neither of the kinds which I have described. On the one hand it contemplates the passing of the second reading, while on the other it does not single out any particular portion of the Bill for animadversion. It throws a cloud over the whole, without suggesting any part of the Bill to which exception should be taken. And now, my Lords, just observe the position which this House might be placed in if it were to adopt this Amendment. In substance, the Amendment says that this is a very bad Bill and ought to be completely changed, and that as it stands it cannot answer the purpose for which it is intended. Suppose, then—and I confess I do not myself suppose for a moment such a result is likely — suppose this Amendment should have the support of your Lordships. One noble Lord may think the Bill goes too far, while another may be of opinion that it does not go far enough; but still all those noble Lords, notwithstanding that they hold wholly different opinions respecting different parts of the Bill, might perchance vote together, and so carry the Amendment. Well, but what would be the consequence? You go into Committee after having passed this general condemnation of the Bill. All these various objections are then brought forward in detail, and every one of them may possibly be rejected, and not command anything like a majority of your Lordships' House. And, if so, what position will you occupy when the Bill comes on for the third reading? Of course, if the Bill comes out of Committee without any Amendments being carried, there can be no objection to passing the third reading, and you would, therefore, have to read the Bill a third time, after having—if I may be allowed to use the expression—stultified yourselves by saying on the second reading that the measure was a bad one, and one which ought not to be passed. Can an Amendment which might lead to such a result be Parliamentary? But, it is not only an un-Parliamentary, but positively a mischievous Amendment; for it destroys a measure which it affirms should, in some shape or other, be passed. I venture to ask the noble Earl, who is a Statesman of experience, whether he really can believe that any Government could keep its seat for twelve hours if it accepted an Amendment in this form — whether, after an Amendment of this kind was carried, any Government could propose to go on with the Bill? I beg to say that it would be simply impossible for any Government to have an Amendment of this sort carried against it, and then to proceed with the Bill. Therefore, my Lords, though it may not be intended to be so, this is, in fact, an Amendment the success of which will necessarily defeat the Bill.

And now, my Lords, if I ask your Lordships to bear with me while I say a few words on the question of the consistency or inconsistency on the part—I will not say of the Government who are able to defend themselves, but of the Conservative party, in which I take no little interest, I will promise not to trespass upon your time at any great length—neither will I place the matter on debatable ground nor imitate the charges which have been made with considerable freedom during the course of this debate. It is, I think, interesting to note in the first place from whom these charges of inconsistency mainly come. The noble Earl opposite, the late President of the Council in his very interesting speech last night—[*a laugh*]—well, it was certainly very interesting to me, because the noble Earl told a number of anecdotes which I never heard before about what different persons were reported to have said to various other persons in the course of the discussions on this measure; and I think he told a story of somebody who was said to have said to somebody that the Whigs were — I believe the phrase was—"dished." Well, my Lords, the Whig party is a very influential party in this country; and I much object to hear, even from the lips of the noble Earl, homely expressions of such a kind, reviling that great and venerated party. But there is one part of the creed of that great party which I cannot help thinking has had something to do with this charge of inconsistency. There is no doubt that it is a part of the creed of the Whig party, and firmly held by them, that they have got the prerogative and the monopoly of bringing in Reform Bills, and their great aim and object is to be the possessors and proprietors of a sort of Pandora's box, though with contents of a different kind, and to let them out one by one, and not too much at a time, for the benefit and delight, the reverence and the love, of a grateful country. I do not in the least object to the party entertaining that view; but accompanying that article of faith is another which I do object to, and that is, that it is the bounden duty and occupation of the Conservative party to be always opposing the Reform Bills which the Whig party are to be always bringing forward—and there is no doubt that the Whig party think very little indeed of a Reform Bill unless it be a Reform Bill which they are to have the credit of carrying, and in regard to which the Conservative party shall have performed their duty by opposing it; for otherwise they, the Whigs, are unable to represent themselves to the country at all in their proper light, and character, and colour. Now, again, I think that in considering these charges of inconsistency, we must remember what inconsistency exactly means in relation to a subject of this kind. It is very easy for a Statesman to appear to be consistent at all times, repeating always the same formula on the subject of the representation of the country; but I think it would be a very false idea to suppose that a man who, under all circumstances, repeated and maintained the same formula with regard to Reform was really a consistent man. Not to go very far I will apply this test to the noble Earl opposite, who was at the head of the late Government. The noble Earl (Earl Russell) once entertained and expressed the idea that after the Bill of 1832 no further Reform was necessary. In 1852 the noble Earl was of opinion that the time had come for further Reform; but he did not find many to agree with him. The noble Earl entertained a similar idea in 1854; but I do not think many more agreed with him then. Now, these ideas might well be entertained by the noble Earl at different times without in the least exposing him to a charge of inconsistency. I apprehend that questions of this sort are questions of time, of manner, and of degree. And now, my Lords, let me remind your Lordships as shortly as possible what is the course which the Convervative party, acting in flagrant violation of the principles and views of the Whig party, have pursued in respect to Reform. In 1859 the Conservative Government brought in a Reform Bill. I do not want to go into its merits now, but the fact is palpable and very well known that, in that Bill was proposed a reduction of the county franchise, greater and more extensive than any Government had ever brought before the House of Commons. A lodger franchise was also proposed in that Bill. It is quite true that it did not propose any reduction of the borough franchise. Well, that Bill, with these very large changes, was supported by the whole strength of the Conservative party; but there is no doubt that any anyone who will read what was said at the time will bear me out when I say that a very considerable number of the rank and file of the Conservative party expressed their opinion that they would have been well satisfied if it had been proposed to reduce the borough suffrage to £8. Indeed, two of the most eminent, not only of the Conservative party, but of the Government itself—Mr. Walpole and Mr. Henley—felt it their duty to leave the Cabinet at that time, and one of their reasons for so doing was that they thought the wiser and safer plan would be to reduce the borough suffrage to £8. You know the fate of that Bill. Many of those who then objected have since regretted that a Reform Bill of this large and extensive nature, not merely proposed by a Conservative Government, but supported by the Conservative party, was not carried. Then came the Bill of 1860, which has been referred to by the noble Duke (the Duke of Argyll), and which, as every one knows, when introduced was "talked out"—I believe that is the phrase—not by the Conservative but by the Liberal party. Well, next we had the Bill of 1866—the Bill of last Session. I desire to state most frankly and fairly my impression with reference to that Bill. There were four main divisions taken in the course of the proceedings on that Bill. One was on the Motion known as Lord Grosvenor's Amendment, which affirmed that the whole scheme of Reform ought to be brought forward in one measure. The second of those divisions was on Mr. Walpole's Amendment to raise the county franchise to £20; the third was on the Amendment condemnatory of the arrangements for re-distribution; and the fourth, in which the Government were in a minority, was ont he question of rating as against rental. Now, my Lords, I think I shall be borne out by those who remember what took place, when I say that last year a very strong desire was manifested by many of the Conservative party that arrangements should be made which would enable them to accept a compromise, so that the Bill might become law. It does not matter whether the compromise which they were then disposed to accept would have been the right one; but I believe the compromise which they would have accepted would have been the fixing of the borough franchise at £8 and the county franchise at £20. The noble Earl (the Earl of Camperdown) who spoke on the other side last night asked what had become of that compromise? I will tell him what became of it. The Conservative party found that it was impossible to obtain any compromise of that kind. The proposition for the £20 county franchise was negatived; and so far from there being any disposition to accept an £8 borough franchise, many of the leading supporters of the Bill avowed that they were only taking £7 as an instalment, and would proceed to get the franchise afterwards reduced below £7. Of course, therefore, it became impossible for those who wished for a compromise to entertain a hope of any compromise being agreed to. It has been stated to-night by the noble Duke that those who complained of the £7 franchise because of its probable influence on the franchise of persons occupying houses of above £10 rental, ought to be more disgusted with the household franchise of this Bill on similar grounds. I venture to think that is an entirely fallacious assumption. I only speak for myself, but I still entertain the opinion which I held before—that the peculiar vice of the £7 franchise was that it would have brought into existence a number of voters which would about equal the £10 voters, and that it would have brought in just that section of voters below £10 who would be most likely to pull together to outvote those above them. I say that is the difference between a franchise at £7 and a franchise spread widely over all the ratepaying householders throughout the country. I agree with the noble Duke that it is idle to suppose that all the voters below £10 would run together on ordinary occasions; but the section which the £7 franchise would have brought in would be more likely to run that way. We know, however, that on most subjects there is a considerable difference of opinion between what are called the higher artizan classes and those below them. I am astonished, therefore, to hear the charges made by the noble Duke in reference to the Bill of last year. Speaking, not of the opinions of individuals, but of the opinion of the great Conservative party as a whole, I believe they would have been extremely glad to take what they would have considered to be a fair compromise. I believe their position in all the stages of the Bill was perfectly *bonâ fide*. They did not object to a reduction below £10; but there were differences of opinion as to the extent to which the reduction ought to go. Well, the Government resigned. They were the best judges of the course which they ought to take; but I ask your Lordships to consider how completely the position of affairs has changed. The noble Earl at the head of the Government said the other night that Government came into office wholly unpledged as regards the bringing in of a Reform Bill; but I maintain that the Conservative party were not unpledged on the question; for among that party there was perhaps not a single borough Member, nor hardly a county representative, who, on some occasion, had not told his constituents that he did not object to a fair and reasonable measure of Reform: what each person might consider to be a fair and reasonable measure of Reform is another question. Whether the Government were pledged to bring in a Reform Bill or not, I say the Conservative party were pledged on the subject. It was necessary, therefore, to bring in a Bill, and it was absolutely necessary to settle the question this year. I maintain that any one acquainted with public affairs cannot have any doubt on the latter point. Now, suppose that under those circumstances the Government had brought in a Bill proposing to fix the franchise at the figure so often referred to—£6, you would have had the process of underbidding, and underbidding, even if defeated, would have led to a rankling feeling on the part of those who had suffered the defeat. The result would have been that it would have been impossible to come to a permanent settlement of the question. A new mode of treating the question had therefore become necessary. In the question of concession or non-concession, it is important to consider whether it was the Government which led the Conservative party, or the Conservative party which forced the Government. I venture to say that in this case the Government have not been in advance of the Conservative party; and that is the difference between the present case and the case of the Duke of Wellington in 1829, or that of Sir Robert Peel in 1846. I say the Government have not been in advance of the Conservative party. Your Lordships will recollect what happened early in the present Session, after the Resolutions had been brought forward in the House of Commons. The House of Commons expressed the opinion that the Resolutions should be withdrawn, and that a Bill ought to be brought in by the Government. The Government did introduce or promise a Bill which proposed to reduce the borough franchise to £6 and the county franchise to — I do not recollect what figure—I believe it was £20. That Bill was announced to the House, and was before the public for two days. Now, I am not going to speak of what happened at a meeting which we all heard of, but which, personally, I know nothing about; but this we do know from general report—that there was the greatest and most intense dissatisfaction felt by the Members of the Conservative party on the ground that the measure did not go far enough, and that it was utterly impossible such a Bill could settle the question. I say, therefore, that when the Government, abandoning that measure, introduced the measure which now lies on your Lordships' table, they acted exactly in unison with the wishes and tendencies of the Conservative party. If in 1846, when Sir Robert Peel proposed a great change in the commercial policy of the country, he could have come down to the House of Commons and said that in proposing it he would be supported by the whole Conservative party

—that he proposed it on his own responsibility, but with the support of his party—I ask whether he would have thought it incumbent on him to resign office? That is exactly what makes the difference between the case of Sir Robert Peel in 1846 and that of the present Government on this occasion. I hold it to be the duty of any Government proposing measures in opposition to their party not to lean upon the other side for support, but to resign office if necessary; but I also hold it to be the duty of a Government who have the assent and support of their party to propose such measures as they think best suited to the wants of the country. My noble Friend behind me—and, again I say, do not suppose that I am going to taunt him with inconsistency, but I want to remind him, and to remind your Lordships of one fact, which will show how very careful we ought all to be in making assertions, or in uttering expressions of opinion upon subjects connected with Reform, or connected with the franchise, which come from anything but a sincere and earnest conviction that these measures are required by the state of the country — my noble Friend behind me (the Earl of Carnarvon) objects to the uniformity of the borough franchise, and he feels considerable alarm at the introduction of household suffrage. But, my Lords, what was the measure which my noble Friend was prepared himself to have assented to? My noble Friend stated to your Lordships not very long ago his view of this question and of the duty of the Government in respect to it. Again, I say I mean not to taunt my noble Friend with what he then said, but to rely upon his words as the just and proper expressions of one so clear-sighted as he is on questions of this kind. Speaking of the question of Reform, my noble Friend said—

> "I felt that this question ought to be dealt with, and that considerable classes of our fellow-subjects might safely and with advantage be enfranchised. I admit the necessity and the justice of such a measure. I thought, moreover, such a measure might well be a bold and a new one, not too closely linked in character to former measures relating to this subject. And at the same time I have all along felt—and my Colleagues will confirm me as to this point—that an ample measure should be brought forward in an ungrudging and free spirit, because I believed that unless that were done there would be no chance of settling this vexed question upon an enduring basis. . . . In proof of my readiness to accept a large measure of enfranchisement, I may mention that, personally, I should not be afraid to go down to that point which is sometimes said to be the only resting-place—namely, household suffrage—in all those boroughs which exceed a certain limit of population, and to establish a £6 rating franchise in other minor boroughs. I mention this to show that, individually, I had no objection to deal with the question; but, on the contrary, was prepared to accept a large measure, providing only that the conditions on which it was granted were in my opinion satisfactory and safe."—[3 *Hansard*, clxxxv. 1290-1.]

[The Earl of CARNARVON: Hear, hear!] I read the whole of this quotation because my object is not to establish a charge of inconsistency. But I ask your Lordships this question—Can it be possible to suppose that in this country you could establish household suffrage in large boroughs, and then tell the smaller boroughs next door to them that, below the broad line of the £6 suffrage, they should have no vote? Yet this was the view, this was the measure which my noble Friend was prepared to have advocated or to have assented to—a measure which I say would have been as certain to lead to the results he has deplored to your Lordships as anything which has actually taken place can possibly do. But my noble Friend says there is not merely an inconsistency with regard to the past action of the party; there is an inconsistency in introducing a measure with certain checks and safeguards, the whole of which are ultimately withdrawn. I want to say a word about "checks" and "safeguards." I wonder who it was that first called them "checks" and "safeguards," because I do not believe that any one of them could ever properly have deserved the name. What are they? Something has been said about voting papers. Now voting papers may be very good or very bad. I think there is a great deal to be said for them: I think there is also something to be said against them; but they have no earthly connection by way of security or safeguard with a household franchise. They might equally be introduced with a £10 franchise; they are wholly unconnected with household suffrage. The next safeguard we heard of was the compound-householder. The compound-householder is a most mysterious subject, because hardly any one ever refers to it without introducing a theory which is perfectly startling. How could the compound-householder ever be a safeguard? What was the state of things when the Bill was originally introduced? A considerable number of the boroughs of the kingdom had not got the system of composition at all. I do not know what the proportion was exactly—I believe it was less than half, but I will call it half the boroughs of the kingdom. With regard to those boroughs which had not got composition Acts in force, the Bill as originally laid on the table of the House of Commons was identically the Bill which is at this moment before us; there is not one iota of difference in the operation of the Bill—it stood precisely then as it stands now. As to these boroughs, therefore, the compound-householder could have been no check—no safeguard. With regard to boroughs in which the composition Acts prevailed—there is no doubt that the operation of the Bill was different. The compound-householder had to make his claim, without which he could not be rated, and when rated he was to have a vote. That arrangement was the subject of animadversion in the House of Commons, and the result was—rightly or wrongly I do not stop now to inquire—that the House decided that the other half of the boroughs should be put, with regard to compounding, upon exactly the same footing as those of which I have spoken. There was consequently no taking away of a safeguard, but a reducing of the whole Bill to conformity with what had been the provisions of one portion from the very first. There is another, and perhaps, a still stronger reason to show that the compound-householder never could have been a safeguard, and that lies in the fact that whether there was to be composition or not depended, not upon Parliament, but upon the vestries of the different parishes; these might have compounding one year and not another; and hence no one could possibly say that compounding was a safeguard. Then as to residence: of course residence is a security and safeguard—a security against a migratory and uncertain population; the period of residence, I admit, has been altered, and it is for your Lordships to say whether you think the alteration desirable. I will speak very frankly upon the point; I think a better arrangement would have been not to have proposed one term for qualifications above and another for qualifications under £10, but, as we know that the greater number of tenancies commence in the month of March all over the kingdom, to have declared that all persons registered in July should have been in residence from the 25th of March but one next preceding. But what was the last and great security said to have been adopted—that on which my noble Friend laid so much stress? The security of the dual vote, which has been abandoned. Now, I ask your Lordships whether you believe that any mortal ever could have imagined that the dual vote was a security intended to be relied upon for the purpose of introducing household suffrage? I know it is said—I have heard it said—that although, when you came to think about it, it was quite clear that the dual vote could not be maintained, the Government put it forward as a security to the acceptance of the Bill which they were bringing into the House. I have found the statement which was made by the Chancellor of the Exchequer with regard to the dual vote when that was first introduced, and I think it right and fair that your Lordships should have this placed before you. The Chancellor of the Exchequer said—

> "What is expressed in the fifth Resolution is the belief of the Government that 'the principle of plurality of votes, if adopted by Parliament, would facilitate the settlement of the borough franchise on an extensive basis.' I wish to make an observation on that Resolution. In the first place, a very great error has prevailed as to the meaning which the Government associated with this plurality of voting. Our intention was that any person who possessed one of the four new franchises that I have mentioned, if he were an occupier in a borough, or if he had a right to vote for a Member of Parliament, should vote, not merely for the occupation qualification, but also for any one other of the new franchises which he might possess. We believe that if that principle were adopted it might have led to results very satisfactory to large numbers of the people of this country."—[3 *Hansard*, clxxxv. 941.]

Now, my Lords, observe what follows:—

> "But we are bound to state frankly that this is not a view of the case which, if we are permitted to bring in a Bill, we shall at all insist upon. It seems to us that it is not desirable to make any proposition on these questions which we have not a fair prospect of carrying to a successful issue, and therefore, although I myself believe that it is a principle well worthy of our consideration, for it involves nothing invidious in its character, applying alike to all classes, yet it is not one which I am now in any way recommending to the House, or announcing that we should act upon it if we had permission to bring in a Bill."—[*Ibid.*]

Now, why do I read that to your Lordships? To show that the dual vote never was presented to the House of Commons as a security or a safeguard, but that the distinct announcement was made that it was proposed for consideration only, and that the Government did not intend to insist upon it.

My Lords, I feel that I owe to your Lordships an apology for the length of these observations; I own I am extremely anxious that this Bill should receive your Lordships' assent. I myself look upon it as a measure entirely consistent with the Conservative policy—meaning by the Conservative policy that policy which strives to maintain and strengthen the institutions of the country. I say that for one simple reason: such is the force, such is the strength, such is the rapidity of the formation of public opinion and its effect in this country, that I believe it is utterly impossible for the country to be governed by any party otherwise than in accordance with the opinion of the great majority of the householders in this country. As that is so, and as it is a fact which we must all acknowledge, I maintain that it is safer to have the expression and the force of that opinion inside rather than outside the legislative power of the country. I do not at all deny that I feel anxious—I am sure there is no one of your Lordships who must not feel anxious—as to the result of any measure so great as a measure for the change of the Representation of the People of this country; but I certainly do not at all entertain the gloomy views relative to this measure which were announced by my noble Friend behind me (the Earl of Carnarvon) last night. I will not use the term to which the late President of the Council (Earl Granville) objected—I mean the word "hobgoblin." But there is a very agreeable writer, with whose works I am sure my noble Friend behind me is acquainted, who tells a story of a certain philosopher who used to swallow a chimera for breakfast every morning; and that is a kind of food the taste for which is very apt, I am afraid, to grow and increase. My noble Friend, in words the eloquence of which we must all acknowledge, described the way in which the broad and sensitive surface of public opinion in this country would vibrate in response to the gusts of passion which might at times sweep over it. I have no doubt of the effect which gusts of popular passion might produce; but I want to know whether such an effect might not be produced by gusts of popular passion at the present moment? When the broad and sensitive surface of public opinion vibrates now to the gusts of popular passion, is our present Representative Assembly altogether free from their influence? I wish to ask my noble Friend which of the two things he looks upon as the safer—that in times when the passions and prejudices of the people of a country are stirred to their depths there should be added to those passions and prejudices a feeling—perhaps a bitter feeling—that these passions and prejudices cannot find legitimate expression in the Representative Assembly; or, on the other hand, that a certainty should be entertained that, whatever those passions and prejudices may be, those who entertain them will be represented in Parliament by men who would give fair and full expression to their sentiments? My noble Friend says that changes, such as are now proposed, are often the prelude to revolution. My Lords, I have not so read history. I venture to think it is much more accurate to say that revolutions are produced because changes of this kind are not made wisely and in good time. There is, indeed, one danger which to my mind would be a source of serious anxiety, and that is, that there should be any risk that the only Bill relating to the question of Reform which has passed the House of Commons since 1832, or which I believe could pass that House, should meet with rejection at your Lordships' hands. I know not whether I should speak of the Amendment that has been submitted to our notice as a real thing on which it is proposed that we should come to a division. If I am to speak of it in that light I would beg your Lordships to consider well the issue which it raises. The rejection of this Amendment will not preclude you from discussing and amending the measure before you in any form and at any length you may please. To accept the Amendment will be equivalent to the rejection of the Bill. That is a responsibility which I entreat your Lordships not to assume.

Earl RUSSELL: My Lords, I feel great difficulty and a deep sense of responsibility in rising to address your Lordships at this time of night, and after so long a discussion carried on by noble Lords on both sides of the House in speeches of great ability, and which have produced a considerable effect upon your Lordships' minds; but I think it my duty, seeing that, both in former times and recently, I took an active part in the debates on the subject of Parliamentary Reform, to tell your Lordships what occurs to me on this momentous question. The noble Earl at the head of the Government laid before us yesterday his reasons for introducing the present Bill to our notice. I am not disposed in any way to find fault with him for having brought forward a measure of Reform. There is no truth whatsoever in those charges and taunts which have been made against the leading Members of the Opposition, to the effect that we looked upon the question of Parliamentary Reform as a monopoly of our own. I told the noble Earl at the beginning of the Session that if he brought forward what I considered to be a good Bill dealing with the subject I should support it; but that, if I regarded the Bill as bad, I should not feel bound to support such a measure. It appears to me that in legislating on this question there were two objects to be sought and two evils to be avoided. One of the objects to be sought was to give the elective franchise to a great class—which has become more and more numerous—and that is the class of skilled artizans in this country, whose industry and intelligence have placed them among the best members in the community as to their fitness to exercise the privilege of voting for representatives of Parliament. The expediency of such an extension of the franchise has been acknowledged repeatedly, not only by noble Lords sitting on this side of the House, but by Members of the Government themselves. Another object to be sought was, in my opinion, that if a measure of Reform were introduced at all, it should be of such a nature that, without aiming at a completely permanent settlement of the question, it should, at all events, effect a settlement of it for some years to come. This is an object which it has been declared on both sides to be desirable, and which no one has thought to be beyond the scope of reasonable expectation. One of the evils which it was desirable to avoid was, I thought, that any greater scope to enter the House of Commons should be given to a class of persons—of late years greatly on the increase—who are known in the country and perfectly recognized by everybody who has anything to do with elections, and who having in the course of a prosperous commercial life succeeded in acquiring very large fortunes, have come to boroughs in this country, perhaps from Australia or some of our distant possessions abroad, and spent large sums of money in corrupting the electors of those boroughs by means of bribery and treating, and by these means obtain seats in the House of Commons. Another evil to be avoided was that of giving fresh scope and encouragement to renewed agitation on the subject of Reform. I must say that it appears to me undesirable that this class of persons should have additional facilities for obtaining seats in the Legislature. Now, I must say it appears to me that the noble Earl who has brought forward this Bill has laid before us a measure which fails to accomplish the objects to which I have referred, and which tends rather to promote the evils I have pointed out. In the first place, the skilled artizan, occupying the highest position among the working classes, and whom everybody has declared it to be desirable to admit into the electoral body, though they will certainly obtain votes under this Bill, will be entirely outnumbered and overwhelmed by the very great number of householders upon whom you are about to confer the franchise, and their weight in the representation will consequently be little or nothing. In the next place, this measure is of such a character that almost every one who has spoken on the subject—certainly every one on the Liberal side, and, I believe, many on the Conservative side also—pronounce it to be so defective as far as the re-distribution of seats is concerned that the subject will certainly have to be reconsidered within a very few years. Well, I wonder, I confess, that the noble Earl should have introduced a measure which is liable to criticism of that kind. I waited patiently and anxiously to hear from him the reasons why this particular measure has been brought forward. I listened to his explanation, and learnt from it that being twice before in the position of Prime Minister in a minority in the House of Commons, he did not choose to be placed in that disagreeable position again. That was, of course, a very natural feeling on his part; that he should desire to carry a measure of Reform by means of a majority of the House of Commons was an ambition of which no one can complain. But then there were other considerations, I think, which ought to have been taken into account. The noble Earl ought, in my opinion, to have reflected as to whether the measure which he was about to introduce would or would not be likely to operate for the good of the country. To that consideration he seems, however, to have paid little, or rather, I should say, no attention. I was reading, as it happened, this morning the close of the late Sir Robert Peel's account of his difficulties in connection with the Roman Catholic question, and of the reasons which induced him at length to consent to remain in office and support their claims. At the end of the memoir, while he states in the most solemn manner that his object was to serve his Sovereign and his country, he admits that something of human weakness might have mingled with his motives, and that he might have wished to be—

> "A daring pilot in extremity."

Others may have a similar ambition, but there are lines following this, which must not be forgotten, in which Dryden says—

> "Pleas'd with the danger when the waves rose high
> He sought the storm; but for a calm unfit
> Would steer too nigh the sands to boast his wit."

I think these lines applicable to the noble Earl, because I believe he has rather accepted these difficulties—he has rather sought for them—but I venture to think that before venturing so near the sands as he has done, the noble Earl ought to have considered that it was possible his ship might strike upon them, that he might lose the valuable lives which he ought to have preserved, and risk a precious cargo which it was his business to save. With regard to the borough franchise proposed by this Bill, it has been said over and over again that the reason why household suffrage was adopted without any pecuniary value being attached as a condition, was that otherwise "a hard and fast line" must have been taken, and that thence you must have descended lower and lower. I own I wonder very much at the impression that argument has produced, because if it is good for anything it affects many other Acts of Parliament. It affects this very Bill itself—for how can you say that £5, £6, or £7, is a "hard and fast line," and that if you adopt it, you will be driven down to £4, £3, and £2—how can you say that, and not admit that the same thing holds good of your £10 lodger franchise and your £12 county franchise? How can you say that a £6 franchise is unsafe, and that the lodger franchise of £10 is safe, and the county franchise also? It appears to me that the argument as to the one, is equally applicable to the other two. Why, the history of our laws and institutions shows that a given line of pecuniary value may last for centuries. The 40*s*. freehold qualification has lasted 430 years, yet nobody pretends that it might have been reduced to 35*s*., 30*s*., 20*s*., or even 1*s*. a year. So with regard to many other things; I believe that all our municipal offices depend on a pecuniary franchise. And yet the authors of this Bill, who have found this a convenient argument to use in order to avoid adopting a proposal like that of the late Government, have thought it quite safe to rest the lodger franchise and the county franchise on "a hard and fast line," and have not dreamt that it will ever be disturbed on that account. It is perfectly evident that if the Government had chosen to adopt a £5 rating, or a £6 or £7 rental franchise it would have been accepted by Parliament, and the measure would have passed without difficulty, and might have lasted some twenty or thirty years, and there would not have been any such alarm felt with regard to it as has been expressed by my noble Friend who moved the Amendment, by the noble Lord (the Earl of Shaftesbury) who spoke first to-night, and by other noble Lords. Then, with regard to this proposal of the household franchise, I have neither that exaggerated estimate of its merits which some appear to entertain, nor do I feel those gloomy apprehensions in respect to it which others have expressed. My belief is that this measure will give rise to a great deal more treating and more bribery than we have ever had at elections in this country before; and I suppose that that will be the case because the lowest class of householders are a very ignorant class; and it is with ignorant persons, who do not know or care what political measures are carried, or what candidates may succeed at elections, that treating and bribery have their effect. These are the persons who are open to bribery and treating, and therefore I believe that these evils will be greater under this Bill than they have been heretofore. I do not apprehend that the Throne will be destroyed or the Established Church annihilated—I have no fears of that kind—but I do think that the household suffrage now proposed is a change which is very much for the worse, and one which may therefore be expected to have its effect on the House of Commons, with whose conduct for the last thirty-five years the noble Earl declares himself satisfied—a sentiment in which I entirely participate. I believe that within that period our Parliamentary Elections, with some gross exceptions, have generally been carried on soberly and steadily, and persons worthy of the confidence of the country have been returned, while also during those thirty-five years there have been passed, without any danger of revolution, without any disturbance of the public peace, many measures which are of the greatest importance to the welfare of the country, prominent among them being the measures for the settlement of the tithe question, the reform of municipal corporations, of the Poor Laws, and for the promotion of Free Trade. With regard to the county franchise, I will not make any observations. My Lords, the other great portion of this Bill deals with the subject of re-distribution of seats. And here I must say I think that, having made so very large an extension of the franchise, having carried the franchise so low, having probably whetted the appetite for greater changes, to have left the distribution of seats in such an unsatisfactory condition as will ensure a renewal of agitation on that subject, so that further changes must be made, was a most unwise proceeding. As far as I have seen, all persons—some advanced Liberals, and all those who with myself belong to the main body of the Liberals, are unanimous in saying that as soon as this Bill is passed they will agitate and promote as far as possible some larger scheme of re-distribution of seats. My own opinion, I must say, is in favour of the small boroughs. I agree with what the noble Earl has said on this subject, and I think it is quite enough, to show that those boroughs have been of use, to mention that such men as Mr. Burke, Mr. Windham, Lord Grey, Lord Brougham, and Lord Macaulay have all, except Lord Macaulay, been defeated in popular elections, and each of them had recourse to elections by a small borough, and thus their eminent talent was preserved to Parliament, which would otherwise have lost it; and I cannot expect that, in such constituencies as Manchester, Liverpool, Birmingham, and Bristol, with such a low household franchise, many such men will be returned to Parliament. But, my Lords, while I say this, I think you cannot expect that, in the present circumstances of the country, all these very small boroughs, containing a very few householders, can be preserved. I do not believe that any argument which can be urged in their favour would satisfy the country, and, therefore, satisfy the House of Commons, that these boroughs should be retained to the extent to which they are retained by this Bill. If that be the case, it is a proof that this measure is not a settlement of the question. Now, it does seem to me that that which we should aim at, and that which your Lordships should endeavour, and may fairly endeavour, to do, without encountering any collision with the other House of Parliament, but rather, I should think, satisfying them in respect to their views, would be to diminish the number of Members for these smaller boroughs, and also to do that which this Bill seems to do, but does not do to any great extent—I mean to rectify the great injustice which is done to the counties by giving twice as many representatives to the boroughs as compared with the counties, having regard to population and other considerations. We had a ruler once who certainly dealt with these things according to a rough-and-ready method. I refer to the Protector, Cromwell, who took it into his head to be a Parliamentary Reformer. He began by making a union with Scotland and with Ireland; and, having done that, he invited Manchester and Leeds to send Members to his Parliament. Those towns never sent Members to Parliament again until the year 1832. Cromwell gave a representation of 300 Members to the counties and only 144 to the boroughs. That arrangement may, perhaps, have been adapted to the requirements of his day; but, of course, it is not suited to those of the present day, because since that time our manufactures and our commerce have grown, and cities and towns have become places of such importance as to be entitled to representation. Still, I think the counties, considering their population and wealth, are entitled to a greater share in the representation than they now possess; and my belief is, that if you gave them a greater representation, and if there were to arise any flood of innovation proceeding from the new borough constituencies, you might have in that county representation a breakwater upon which the country might rely, and which would prevent any changes endangering our institutions. The noble and learned Lord who last spoke (Lord Cairns) was good enough to say that the clause which I proposed in the Bill of 1854, providing that, in an election for three Members, electors should not be entitled to vote for more than two candidates, was a good provision, and would tend to the welfare of the country. That clause only applied to counties, for at that time there were no borough constituencies having three Members. Now, my opinion at this moment is entirely in favour of that plan. I believe you would thereby get moderate men; because the Members who would be elected for places like Manchester and Birmingham might be men of a Conservative tendency, but at the same time men who would have the confidence of their fellow-citizens; while the Members elected in the counties would be country gentlemen, with such Liberal tendencies as to make them very moderate and temperate in their political views. I think, therefore, you would improve your representation in that way There may be no danger in the step we are taking, the fears which are entertained may be unfounded; but if any danger exists you would guard against it by adding to the number of what are called three-cornered constituencies both in boroughs and in counties, and by enabling the electors to give votes to two candidates only. Such being the general features of the Bill, I have no desire to go further into it; but I cannot avoid taking notice of that other question which I regard as of immense importance—namely, the course which has been pursued by what is called the Conservative, but what I think is more properly called the Tory party, with regard to this question. A noble Friend of mine (the Marquess of Clanricarde) has remarked that when Sir Robert Peel changed his policy with respect to Catholic emancipation, and when he changed with respect to the Corn Laws, the Liberal party were quite ready to applaud his conduct and to give him their hearty support. That, no doubt, is true; but then it must be remembered that the course pursued by Sir Robert Peel was one which deserved, I think, to be applauded. He went through a very painful process in making up his mind that the course he was about to pursue was for the good of the country; but, having made up his mind, he declared it openly to Parliament, and pursued the course he had marked out for himself, as I believe, with great integrity, devotion, and patriotism. Now, with regard to the measure which we introduced last Session, the noble Duke (the Duke of Marlborough) has evidently taken for granted the truth of a rumour which circulated in the Conservative Clubs, but which was entirely opposed to the real facts of the case. The noble Duke said he had heard it stated that Mr. Bright recommended that the franchise question should be dealt with by itself, so that when a new Parliament was elected a leverage would be obtained in order to effect an extensive re-distribution of seats, and that the late Government accepted that advice. Now, the facts of the case are these—Mr. Brand went to Lord Palmerston after the measure of 1860 had failed, and told him that he thought he could not succeed in dealing with the re-distribution of seats together with the settlement of the franchise; he advised Lord Palmerston therefore, to bring in a Bill dealing with the franchise only. Lord Palmerston replied that he did not think either one measure or the other could be carried in the then existing House of Commons, and declined to accept the advice so offered him. Now when, owing to the unfortunate death of Lord Palmerston, I succeeded to his office, I proposed to the Cabinet that if we could frame a measure of Reform which was likely to be acceptable to the country, and which would meet with the approval of Parliament, we ought to do so, and I asked Mr. Brand what prospect he thought there was of carrying such a measure? Mr. Brand gave the same advice that he had given to Lord Palmerston, and stated that he thought a measure dealing with the franchise only would be successful, and that it would be better not to combine with it the re-distribution of seats. Mr. Bright, about the same time, expressed a similar opinion at a public meeting. Now, for my part, having the highest opinion both of the ability and integrity of Mr. Bright, and believing him to be sincerely devoted in the cause of Reform, I advised the Cabinet to proceed as Mr. Brand and Mr. Bright had suggested. With regard, however, to the other portion of Mr. Bright's advice—that we should wait for a new Parliament before dealing with the re-distribution of seats, so far from agreeing to that suggestion, the Cabinet determined, and Mr. Gladstone announced their decision in the House of Commons, to propose a measure of re-distribution in the next Session of the then—that is the present Parliament — and not in a new Parliament. The noble Duke is therefore entirely misinformed both as to the original author of the advice and as to the degree to which it was accepted. Well, we introduced the Bill, and although the main body of the Liberal party supported it, a section of them unfortunately fell into the mistake of accepting service under the enemy. The consequence was that many adverse Motions were made, all of which were supported by the 270 or 280 Members of the Conservative party; so that it was obvious from the first that, with these two combined parties seeking to defeat the Bill, it was probable that on some occasion or other we should be in a minority. It so happened that a near relation of my noble Friend (the Marquess of Clanricarde) was the person who finally obtained a Vote against the Ministers. I remember that Mr. Canning, speaking of an hon. Friend of mine, stated that the hon. Gentleman had made himself the paw of a certain domestic animal, and I think the noble Lord (Lord Dunkellin) was very much in the same position. There are some things in connection with the proceedings of last Session which are very remarkable. Not the least remarkable is that while the loudest declarations were made by many persons—and no doubt by Lord Cranborne and General Peel very sincerely — that a measure giving the suffrage to £7 householders in boroughs would be a great democratic innovation, and would lead to a democratic form of Government — while these declarations were made it appears to have been the intention of the Leaders of the Conservative party to introduce a measure going much farther in the direction of democracy, and, as it were, to outbid us by a more sweeping change. Such a charge against public men seems so incredible that I feel bound to quote the words reported to have been used in making it by Lord Cranborne—

> "I have no doubt, however, that those who then urged us to resist that Bill had calculated in their own minds the course they intended to adopt. I have no doubt that a Bill such as that which has now been brought before the House was in the minds of the heads of the Conservative party, but that, owing however to what no doubt was our misapprehension, we have been bitterly disappointed, and the result is that we now find ourselves committed to a Bill which is in every sense more democratic than that which was introduced last year by the right hon. Gentleman opposite."—[3 *Hansard*, clxxxvi. 1569.]

Now, that is a very extraordinary charge. The charge was openly made: the Ministers to whom it applied were present. The Leader of the Conservative party in the House of Commons was present; but so far from any contradiction being offered there seems to have been a sort of pride in hearing it made, and in admitting that for many years this democratic measure was in contemplation; and that while they thus declaimed against the democratic tendencies of the then existing Government, they themselves leant to measures still more democratic. Another extraordinary circumstance is that a right hon. Gentleman of very great talents (Mr. Lowe) connected with the Liberal party, who strongly deprecated any measure going below the £10 franchise, made speeches of great power and eloquence, which were cheered to the echo by the Conservative party. The walls of the House of Commons resounded with the cheers with which they greeted those speeches. But after that, when it was once known that the Conservative Government meant to go much further in the line of democracy, Mr. Lowe again addressed the House, with perfect consistency, with equal ability, with undiminished rhetorical power; but, so far from giving the same response, the audience whom he addressed on the Conservative side were entirely silent. This showed the great talent and power of the Leaders of the Conservative party. It was once said of a great actor—

> "He cast off his friends like a huntsman his
> pack,
> For he knew when he pleased he could whistle
> them back:"

and while the Conservative Chiefs were meditating great democratic measures, they allowed their followers to cheer at the great alarms about a £7 franchise, being quite sure that they could make them dumb at any moment, that they could make them feel the lash, and whistle them back whenever they pleased. This, at all events, is not a common change of opinion; but it requires the power of an actor not inferior to Garrick to do that. There was a pretence of great alarm at the prospect of revolution, and fear for the destruction of the House of Lords and the Church if our Bill should pass; and yet the noble Earl and his Friends were all the time prepared to go much further than those against whom their attacks were directed. This conduct may be said to be very adroit, and no doubt it was so. This line of action may be compared with that which was followed by Sir Robert Peel and the Duke of Wellington. I remember when the Duke of Wellington said that he would introduce a Reform Bill, though a much more moderate one than that which the Government of Lord Grey introduced; for he said that he did not think he could show his face in the streets unless he did what he thought his duty to his Sovereign. But Sir Robert Peel said he could not walk erect into the House had he not refused to be the instrument in doing that which he had repeatedly described to be a dangerous innovation. Well, these two great men were sincere and had sincere convictions. But it appears that adroitness and ability in the present day consist in acting a part as if you were deeply impressed with one set of opinions and then to avow that you entertain opinions entirely different. Such conduct may be exceedingly adroit, but I find it impossible to believe that either this House or the other House of Parliament, or the country in general, will entertain any sincere respect for those who practise it. And now, my Lords, I will say a few words with respect to the Amendment of my noble Friend, and the course which I will take with respect to it. I consider the House very much indebted to my noble Friend for having brought forward his Amendment. We have had an interesting debate, in which the House has been enlightened by the different views which have been expressed. I agree with my noble Friend in his description of this measure; but there is a part of the Amendment which it is impossible for the House to adopt, because my noble Friend asks the House to declare that the measure is not calculated to promote the future good government of the country. I confess myself that I have great doubts as to the future operations of this Bill. I certainly do not feel much confidence about it, and I do not think the House generally can feel confidence that it will operate to the future good government of the country. But those who take the gloomy view of it may be mistaken, and therefore, on the whole, it would not become the House to adopt the Amendment. The observations of the noble Earl and those of the noble and learned Lord who spoke last (Lord Cairns), have a great deal of force—that those who wish to propose Amendments can propose them equally well though this Amendment be rejected. Therefore, containing as it does the words to which I have alluded, I certainly cannot vote for the Amendment of my noble Friend. I agree with him when he says that the Bill will not effect a permanent settlement of the question, and I hope Amendments will be introduced in Committee for the purpose of improving it; at the same time I believe it is quite impossible so to improve it as to give all the substantial benefits to the country which ought to be derived from a Reform Bill. The noble Earl has said that the provision for the payment of rates would be found in my Bill of 1854; but I find, on looking at that Bill, that its provisions were an extension of the principle of that in 1832, and although there was a provision that all voters should be rated, yet there was no obligation to pay the rates as a condition prior to the registration of the voter. That provision in the Bill of 1854, therefore, was substantially the same as that of the Bill of last year. But after the decision of the House of Commons on this measure, it will be quite impossible to expect that they will consent to an Amendment which will totally alter its basis. I hope my noble Friend will not persevere in his Amendment, and if he does so it will be impossible that I can vote for it.

THE EARL OF DERBY: My Lords, after the discussion that has taken place, I must say it appears to me almost inexplicable why this Amendment should have been moved. It cannot have escaped remark that, in the course of this debate, although the Amendment has been nominally the subject of discussion, hardly any one has said a word with respect to it, and not one a word in defence of it. I cannot except even the noble Earl (Earl Grey) who introduced the question to your Lordships' notice; because, from the state of exhaustion in which the noble Earl found himself, at the close of a lengthened address — his voice failing at the time he was about to announce the grounds on which he would recommend the adoption of the Amendment—he was unable to state the reasons which had led him to introduce it. Since then no one has spoken in its favour —indeed, no one has addressed himself to it except my noble and learned Friend (Lord Cairns), who has given a most complete argument against its adoption. I conclude, therefore, that the noble Earl will follow the advice given by the noble Earl opposite (Earl Russell), will withdraw the Amendment, and give your Lordships no further trouble about it. As I have said, I cannot understand what was the motive for introducing this Amendment, unless it were to lead the House into the belief that there would be a division at the end of the debate—a belief or hope which is about to be frustrated—and, therefore, to keep a greater number of your Lordships in the House. If this latter was the noble Earl's object, it was not a very important one, but it has answered its purpose. Had the Amendment, however, never been introduced, your

Lordships would have had the same opportunity of discussing the provisions of the Bill either at this or at a subsequent stage. For my part, I have not the slightest objection to the lengthened discussion extending over two nights, which has taken place. But, having troubled your Lordships at some length, on moving the second reading of the Bill, I am happy to say that on this occasion I shall occupy your time but for a very short period, and that only for the purpose of correcting one or two mis-statements, and giving one or two explanations.

My Lords, the first thing that strikes me as somewhat remarkable with respect to this discussion is that, although the criticisms upon the Bill have been neither very sparing nor moderate, yet with regard to anything to be substituted for the provisions criticized there has been not only an entire absence of any suggestion, but a most extraordinary discrepancy of opinion on the part of the four or five Peers who have spoken against the Bill, not one agreeing with another as to the principal objections to be made to it, nor as to any particular provisions—nor as to what they would have substituted for them. The noble Earl who introduced the Amendment, made, as he said, very free admissions with respect to the franchise. He said, that in his mind, there was a great deal to recommend a household suffrage, he was very much disposed to adopt it, and he went on to say he also agreed with those who held that between the £10 franchise and household suffrage there was no resting point; for if you did not adhere to the £10 franchise, you must perforce come down to household suffrage. But another noble Earl (the Earl of Carnarvon) took a different view, for he said he would prefer adhering to the £10 franchise. But, however excellent it may be theoretically to adhere to the £10 franchise, is there any one of your Lordships who thinks it possible? The £10 franchise has been condemned again and again; and if I am to adopt the alternative of the noble Earl that there is nothing between £10 and household suffrage, and it is impossible to remain at £10, then the case for household suffrage, as proposed by Her Majesty's Government, is clearly made out. But that is not the view taken by other noble Lords. I must now take into consideration the views of those who have favoured us with the gloomy and Cassandra-like vaticinations with respect to the future of this Bill. The noble Earl who has spoken last, and then my noble Friend (the Earl of Carnarvon,) differing altogether from the noble Earl who moved the Amendment, concur in one respect. The noble Earl (the Earl of Shaftesbury) asks us why we should jump out of the window when we might go down the stairs? But would it be of much use to go down the stairs if, on getting to the first landing we were kicked down to the second, and from that to the ground? Would that be a preferable mode of exit? My noble Friend uses an extraordinary argument. He says, "I agree that you ought to reduce the franchise." And why? "Because," he says, "in a few years more you will be called upon for a further reduction, and in a few years more to reduce it further still." Thus we are to go down two or three flights of stairs and terminate at the same point as we now arrive at. Now, the noble Earl opposite (Earl Russell) will remember what was said thirty-five years ago about "bit-by-bit Reform." That was the expression used; and the noble Earl will recollect how strongly he argued, and I to the best of my ability argued, and others argued, against the impolicy of making these bit-by-bit Reforms, stimulating thereby the appetite of the country for fresh concessions and laying the groundwork for future and never-ceasing agitation. I wholly differ, therefore, from the notion that a moderate reduction of the franchise should take place now, with a view to the extension of the franchise hereafter, thus keeping up agitation, instead of terminating it. My noble Friend (the Earl of Carnarvon) considers that the franchise we have fixed is too low; but following the example set by most of your Lordships who have spoken, he does not tell us how much too low it is according to his judgment. He says it is both too low and too uniform; but my noble and learned Friend (Lord Cairns), has, I think, shown that so far from being uniform, it is the present franchise which is open to that objection, while that which we propose is calculated to ensure a considerable variety. When, however, my noble Friend says that the franchise is too uniform he again fails to inform us how to vary the uniformity; as far as I understand his remarks he seems to contemplate the distinct representation of the labouring classes. If he does so I cannot conceive any element of discord so great, any source of embarrassment so certain, as that a number of men should meet in the same House of Commons, one set among them representing the higher and the wealthier, and the other the poorer and the lower classes, and that these men should be brought face to face charged with separate interests, instead of representing the combined interests of the whole community. If I rightly understand my noble Friend, I cannot conceive a more objectionable proposition than that of a separate representation of different interests. Then, again, the noble Earl who has just sat down (Earl Russell) has condemned the franchise proposed in the Bill; but having condemned it, he tells us that on the whole he does not see the way to improve it and to make it more moderate or Conservative — only he suggests the doing away with that which is our main restriction upon an unlimited household suffrage—namely, the payment of rates which secures for the new voter a permanent, substantial, stable occupation. On the other hand the noble Earl the late President of the Council, differing from all the rest, and replying to the gloomy forebodings of my noble Friend, says he finds no fault with household suffrage. These are some of the differing opinions which have been expressed during the discussion. The noble Earl (the Earl of Shaftesbury) wishes to adhere to the £10 franchise, but he would go down bit-by-bit.

THE EARL OF SHAFTESBURY: I said I would come down at once to a £7 franchise.

THE EARL OF DERBY: Yes; but what is to be done in the next stage? We are to go down the flight of stairs by degrees, descending in the first instance to a £7 franchise, and going gradually lower until we come to the household suffrage which we are now proposing. That is the noble Earl's proposal. Then comes my noble Friend (the Earl of Carnarvon), who says, "Your new franchise is too low, but I cannot tell how much higher it should be." Then comes the noble Earl (Earl Russell), who says, "Your franchise is very objectionable; but on the whole I don't see how I can amend it, except by a change which would make it more radical and more democratic than before." And lastly, the noble Earl opposite (Earl Granville) says, "I have no fault to find with the new franchise." My Lords, it is easy to start objections to a Bill of this sort, and I can quite understand the Motion of the noble Earl who moved this Amendment; because, while he states in that Amendment that the Bill was objectionable, he takes good care not to say in what manner, on what side, to whom and for what reason it was objectionable, and he thus escapes from the difficulty with which your Lordships will have to contend if we go into Committee—as I suppose we shall—the difficulty of pointing out the particular objections entertained to the Bill, and of suggesting the particular Amendments by which it is proposed to remove those objections. That is the difficulty which awaits noble Lords who have been very free in condemning the course taken by the Government, but who must come to book in the Committee and tell us what they propose to substitute for the parts which they condemn. Well, then, my noble Friend (the Earl of Carnarvon) is alarmed about the lodger franchise, and tells us that we are proceeding upon imperfect information in this respect. I admit that we are proceeding upon very imperfect information. He says we may be admitting 100,000, or even 500,000 new voters under the lodger franchise. I do not think the latter estimate is likely to be accurate. My noble Friend opposite, the late President of the Council, who is all in favour of a lodger franchise, calls it a real metropolitan Reform Bill. I am inclined to agree that this lodger franchise in the Bill will have a very great effect in the metropolis, and a very small effect in other parts of the country. Be the effect, however, what it may, we are not the persons who can claim the merit or the demerit of the lodger franchise. It is true that in 1859 we proposed to introduce it; but we afterwards found that there were considerable difficulties in carrying it into practice, and therefore it was not originally introduced into the present Bill. In lieu of it we proposed what are known as the "fancy franchises," by which we hoped to give votes to the most intelligent and the best portion of the labouring population. But Mr. Gladstone introduced this lodger franchise last year, and he did not adopt the estimate of 500,000 or even 100,000 persons whom it would enfranchise; but, having made such inquiries as he thought necessary, he declared that the number enfranchised would not exceed 60,000 at the outside. [The Earl of CARNARVON explained.] Whatever estimates we were proceeding upon, we were proceeding upon the estimates furnished by the late Government. As my noble Friend well knows, the lodger franchise formed no part of our Bill, but was pressed upon us by the late Chancellor of the Exchequer and those who, finding it not in the Bill, suddenly thought it became a question of the greatest possible importance, although last year, when they introduced a measure, they treated it as a matter of comparative indifference. I will not deal with the question of securities, the absence of which so much distressed my noble Friend, further than to say, with regard to the dual vote, which was proposed to be added, and by which we thought we could give additional weight to some of those classes who, both by property and intelligence, appeared to have a superior claim to representation, that the dual vote when brought before the House of Commons met with no favour, and was forthwith withdrawn, as being absolutely incapable of being passed. With regard to two years' residence instead of one, my noble Friend must be aware it was not abandoned by the Government. We divided in favour of two years' and were beaten by a considerable majority. I ask my noble Friend whether he is prepared to say that, because we gave up the dual vote, and because a considerable majority of the House of Commons, largely composed of the Conservative party, declared that they wished, not to have two years' residence, but one, therefore we ought to have abandoned our proposal of household suffrage limited by one year's residence and personal payment of rates. The noble Earl opposite (Earl Grey), in the course of his speech yesterday, began by saying that, in my retrospect of what had taken place, I had been guilty of various errors—sins of omission and sins of commission, erroneous statements, false dates, and false quotations. It is very easy to make such charges, but it would have been more satisfactory if the noble Earl had specified what the errors, mis-statements, and mis-quotations were; but, as he has not done so, he has not given me an opportunity of replying to what he said. I am unable to say I may not have been guilty of some inaccuracy, but, at all events, I did not make a single quotation in the whole of my speech—and what the other errors were I am at a loss to understand. The noble Earl opposite (Earl Granville) introduced his favourite expression about "dishing the Whigs." He related a number of anecdotes which he said he had heard, among others was one to the effect that a deputation having called upon me, and forcibly represented their objection to this measure, I had not a word to say about the measure beyond asking, "Don't you see how it has dished the Whigs?" The noble Earl said immediately afterwards that he believed the story was a fabrication. If it was a fabrication, I do not understand with what object the noble Earl introduced it; still less do I understand for what reason he rested upon that fabrication, an argument, which can only rest upon the probability of its being true; because he proceeded to say that the course pursued in the other House of Parliament gave him reason to believe that this anecdote was not unlikely to be true; for the Leaders of the Conservative party were ready at any moment to sacrifice their political consistency and honour for the purpose of throwing discredit upon their political opponents, therefore, he thought I was likely to have made use of this expression. He went on to support the charge against the Leaders of the party by saying that the Chancellor of the Exchequer was challenged in the House of Commons with having given way, upon ten different occasions, on important points pressed upon him by Mr. Gladstone. He repeated the statement that had been made, and in many instances satisfactorily and entirely refuted in the House of Commons. He repeated it, and said that the object of the answer given by the Chancellor of the Exchequer was to prove that he was not acting under the imperious dictation of Mr. Gladstone. I can only repeat the assertion that Mr. Gladstone's name appears in no less than eighteen divisions among the opponents of the Government. Therefore, says the noble Earl, the answer he gave to the charge of being led by Mr. Gladstone was that, if he had been so led and had been compelled to give way, he had at least the satisfaction of placing Mr. Gladstone in a minority on eighteen different occasions. I want to know was that a fair representation of what took place in the House of Commons? The noble Earl went on to comment on the course I am adopting here. He complimented me on the readiness with which I always give encouragement to young Members on either side of the House; but he went on to say that he should attribute to me a great amount of magnanimity if I would speak in courteous terms of the two noble Earls who addressed your Lordships last night. I assure the noble Earl and the

House that it does not cost me the least magnanimity to give an unqualified tribute of admiration to the talents and ability of the two noble Earls, one of whom I heard for the first time, and who certainly spoke with considerable power and great self-possession, and the other, of whom I had had the pleasure of hearing once before, and whom I then admired, not only for the ability with which he made his statements, but for the singular modesty and propriety with which he addressed the House. The noble Earl (Earl Granville) charged me with taking all the business of the House upon myself, only availing myself occasionally—as I am always happy to do—of the noble and learned Lord on the Woolsack, who has spoken to-night, and with keeping my Colleagues in the background. He alluded to this more particularly in consequence of none of my Colleagues having risen to answer immediately the speech just addressed to the House by the late Secretary for the Colonies (the Earl of Carnarvon.) If that speech did not receive an immediate answer from a Member of the Cabinet, I take upon myself the whole responsibility of that proceeding. It was upon my own suggestion that an immediate answer was not given to that address by a Member of the Cabinet, for I was desirous not to introduce into the debate anything of an acrimonious or personal character. I did feel that the attack which had been made upon us by the noble Earl was one which on the spur of the moment it might be difficult for his late Colleagues to answer in terms consistent with the respect and esteem which we have for his high character, however much we might deprecate his language. It was upon that ground, and that ground alone, that when the noble Earl sat down an immediate reply was not given to his speech from this Bench. I confess that when my noble Friend began his gloomy vaticinations with regard to the future I could not help thinking of lines in Collins's *Ode to the Passions*. Probably, he recollects the glowing description given in the song of Hope—how she looked forward into the future with delight, but her song was interrupted—I do not for a moment mean to compare my noble Friend to the Passion there represented—but the poet goes on to say—

> "And longer had she sung—but, with a frown,
> Revenge impatient rose,
> He threw his blood-stain'd sword in thunder down,
> And, with a withering look,
> The war-denouncing trumpet took,
> And blew a blast so loud and dread,
> Were ne'er prophetic sound so full of woe."

"Woe to your statesmen," says my noble Friend, "if you follow so melancholy a course." But my noble Friend gives us the satisfaction of hearing that he did not mean the slightest personal offence, and that, however severe might have been his animadversions upon his Colleagues, he had not the slightest personal bitterness toward us. Now, it is most satisfactory to receive that assurance, because it shows to what an extent a man may misinterpret the tone, the language, the gesture, the manner of another. I certainly could not have conceived how my noble Friend, when he was pouring down upon us the vials of his wrath, and charging us with organized hypocrisy, with the repudiation of all our pledges and the violation of all our principles—I could not otherwise have conceived that that was the language of a sincerely attached Friend, overflowing with the milk of human kindness, only sorrowing over the backslidings of Friends he esteemed beyond measure, and over whose misdeeds he could not forbear dropping the tribute of a tear. I believe my noble Friend said he felt no bitterness; but if the expression of that speech were the expression of no bitterness, I should like to know how my noble Friend would express bitterness. I should like to know what stronger language could be used respecting the course pursued by my right hon. Friend the Chancellor of the Exchequer, to whom I am bound to do the justice of saying that we owe the progress and success of this measure mainly to the calm endurance, the indomitable patience, the temper and the perfect invulnerability to such attacks as those made by my noble Friend. We owe to my right hon. Friend the success with which this measure has passed through the House of Commons, in a manner which has conciliated the esteem and support of opponents, without, at the same time, alienating the good-will of Friends. My noble Friend even went back to the period of 1846, and reminded the right hon. Gentleman of the attacks which he made upon Sir Robert Peel at that time. Why, I recollect hearing from my noble and learned Friend on the Woolsack that there was a barrister who made use of this argument, "Now, my Lords, I have an argument which I will not mention, and it is this." In the same my noble Friend, in substance, remarked, "If I intended to be bitter, which I won't be, I should allude to a subject which I won't allude to"—namely, the conduct of the right hon. Gentleman towards Sir Robert Peel in 1846. Remembering the words of the Psalmist, I would rather say, "Let the righteous rather smite me friendly and reprove me." I confess that I bow my head to the chastisment which my noble Friend has thought fit to inflict upon me, and I only thank my stars that after such an exhibition of his friendship I am not likewise to incur his hostility. If that is his kindness, God help those who are subjected to the outpouring of the venom of his wrath! To turn, however, from that point to another which the noble Earl (the late President of the Council) mentioned in the course of his speech; he gave me the credit of possessing in your Lordships' House a paramount influence—and in this respect he did me more than justice—and he attributed it mainly to one cause—namely, the very free use I had made of the privilege of creating Peers. Now, I confess that such a statement, proceeding from a Member of a Whig Government, not a little surprised me. I say nothing of the Peerages created in acknowledgment of the services and sacrifices of the supporters of the Reform Bill of 1832. But are your Lordships aware of the comparative number of Peerages created during the reign of Her present Majesty by the Whigs, who are so shocked at the idea of creating Peerages, and by the Conservative party up to the commencement of last year? The Conservatives created fifteen Peerages in that period, and the Whigs created sixty-five; and yet the noble Earl attributes the paramount influence which I am supposed to possess in this House to the lavish way in which I have advised the Crown to create Peerages. Though the noble Lord made those remarks on the character of the Bill, he did not go so far as to suggest any specific Amendment; and I think that when, referring to the paramount influence which he was pleased to attribute to me in this House, he asked whether I would permit any Amendments to be suggested, he could hardly have done me the honour of attending to the observations which I made at the close of my remarks. I said that, fully recognizing your Lordships' right to deal with the measure according to your own discretion and sense of justice, we would be perfectly ready to consider with attention any suggestion for Amendment which might be made by noble Lords opposite, or any Amendments which they might think it right to propose—of course reserving to ourselves the right of deciding whether we ought to adopt them. I think after that frank declaration it was rather superfluous of the noble Earl to ask me the question which he put on the point.

I have only one other observation to trouble your Lordships with. It has reference to re-distribution. The noble Earl asked me yesterday whether I thought the system of re-distribution proposed by the Bill would last five or four, or three or two years, or even one year? My Lords, it is difficult to say how long any system of re-distribution will last. There is a constant change going on as regards the relative importance of different towns, and the effect of such changes must be, after certain periods, to render re-distribution necessary and absolutely indispensable; but may I not fairly ask my noble Friend what he proposes to do with the question of re-distribution? I am ready to consider any proposal which he may have to make; but I think it is hard to call on the Government to upset what has been done by the House of Commons, merely because my noble Friend does not approve it, and at this period of the Session to bring forward a new plan of re-distribution, even could we be so fortunate as to hit the precise point to which he thinks re-distribution ought to be carried. I think it but fair to ask what the noble Earl proposes—whether he proposes to strike out a number of the small boroughs, or to take more Members from boroughs to give them to counties? I wonder whether the latter proceeding would be liked by the House of Commons. But my noble Friend sheltered himself under the convenient declaration that he had no preconceived scheme. [Earl GRANVILLE said, he did not press it on the Government.] Then the noble Earl had a preconceived scheme, which, with all its details and Schedules, he thinks we ought to send down to the House of Commons at this period of the Session with a hope of their adopting it. I must say, my Lords, with reference to this and other matters referred to in the speeches of my noble Friend, that I do not think it is fair to make objections to particular parts of the Bill without saying in what way the supposed defects ought to be remedied, or taking the Parliamentary course of placing on the Paper notice of Amendments. My Lords, I have to express my satisfaction with the general tone of the speeches which have been delivered. I do not go into those charges of inconsistency which have been levelled against me and the other Members of the Government. In the position we found the question, we felt it to be absolutely necessary to bring forward a measure of Reform, and such a one as we had reason to believe would meet with the general acquiescence of the House of Commons. Under that paramount necessity, I am perfectly willing to risk any taunt which may be used, or any charge of inconsistency which may be made against me and my Colleagues. Considering the altered circumstances of the case, I do not think any such charge can be pressed against us with any semblance of justice. But apart from those charges, I am satisfied with the way in which the Bill has been dealt with; I only hope that the noble Earl who brought forward the Amendment, seeing that the sense of the House is so decidedly against it, and the noble Earl having attained the object for which, I presume, the Amendment was moved, will now withdraw it, and allow the Bill to be read a second time.

EARL GREY: For reasons which I stated very fully at the time, though it appears that the noble Earl opposite (Earl Beauchamp) did not hear them, I still think this was a proper Amendment to submit to the House; I think it was one which it would have been for the advantage of the House to adopt, and the reasons adduced against it have not been satisfactory to my mind. I am not, therefore, prepared to withdraw it. At the same time, I have never been disposed to give unnecessary trouble to your Lordships. The Resolution has not received in the course of the debate that support which I had reason to believe would be accorded to it—more especially from my noble Friend (Earl Russell), who has altered the opinion which he expressed in favour of the Resolution when I submitted it to him, and adopted an alteration which he suggested in its terms. Finding that to be the case, though I shall not withdraw the Resolution, but shall give my own voice in favour of it when the Question is put from the Woolsack, I shall not challenge what no doubt the noble and learned Lord will declare to be the decision of the House. I may be permitted to refer to something which has been said by my noble Friend, the noble Duke behind me (the Duke of Argyll). It is a matter of very small importance to your Lordships, but to me it is of great consequence that misapprehension on the point I refer to should not exist. My noble Friend has commented very severely on the conduct of some Friends of mine in the House of Commons, who in the last Session of Parliament attempted, as he said, to form a third party, and attributed to me that they acted by my advice. Now, I beg to inform my noble Friend that he is totally mistaken. It is perfectly true that I did approve the Resolution that was moved condemning the introduction of a Bill confined to the franchise alone. That was the opinion I expressed on the very first day of the Session, and before Her Majesty's Government of that day had declared the course that they would take. That is an opinion which I still believe to have been just and sound, and, therefore, I did entirely approve the Resolution proposed by my noble Friend Lord Grosvenor. But subsequently to that the conduct pursued by the small party to which I have referred was not only not in accordance with any advice of mine, but was directly contrary to my expressed opinions. The opinion I constantly pressed on my noble Friends was this—that it was not expedient to attempt to defeat the Bill, that it was not expedient to attempt to alter the franchise which was proposed, that it was still less expedient to attempt to overturn the Government which then existed; but that the right policy for them to pursue was to propose certain Amendments which in my opinion would tend to render the Bill proposed by the Government of that day a safer and better measure than it was as originally introduced. But I was in no respect the adviser of the measures which were taken. It is now stated that these were adopted with a view of throwing out the Bill. With regard to the greater part of those Friends of mine, I do not believe that they had any such intention. I do not think that the course which they took was judicious, but at the time I firmly believe it was not their intention to defeat the Bill, and I am convinced their only object was to promote what they thought to be the public good.

On Question, Whether the Words proposed to be left out shall stand Part of the Motion? it was *Resolved* in the *Affirmative:* Then the original Motion was *agreed to;*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE EARL OF DERBY: It will be for the convenience of your Lordships that I should state that, with a view of allowing time for the framing of any Amendments which noble Lords may be desirous of submitting, we propose to fix the Committee on the Bill for Monday next. By that time I trust that Notice of any Amendments which it may be thought desirable to introduce will have been put upon the Paper.

House adjourned at a quarter past One o'clock, a. m., to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 23, 1867.

MINUTES.]—NEW MEMBER SWORN—Charles Jasper Selwyn, *for* Cambridge University.

PUBLIC BILLS—*Committee*—Meetings in Royal Parks [134]; Tramways (Ireland) Acts Amendment * [124] [R.P.]; Galashiels Jurisdiction * [234]; Morro Velho Marriages * [265].

Report—Meetings in Royal Parks [134 & 273]; Galashiels Jurisdiction * [234]; Morro Velho Marriages * [265].

Considered as amended—Dundee Provisional Orders Confirmation * [257]; Wexford Grand Jury * [264].

Third Reading—Industrial and Provident Societies * [198], and *passed.*

The House met at Twelve of the Clock.

MEETINGS IN ROYAL PARKS BILL.

(*Mr. Secretary Walpole, Lord John Manners, Mr. Attorney General.*)

[BILL 134.] COMMITTEE.

Order for Committee read.

MR. NEWDEGATE wished to state that the object of those who agreed with him would be to see that the right of public meeting should not be invalidated by vesting any discretion as to whether meetings should take place in any Government officer. Whatever was done should be done absolutely by law.

House *resumed.*

Bill *reported;* to be *printed,* as amended [Bill 273]; re-committed for *Monday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CASE OF THE "TORNADO."

OBSERVATIONS.

MR. GREGORY: The discussion of the case of the *Tornado* would have been far more easy and more satisfactory if his hon. Friend the Member for Honiton (Mr. Baillie Cochrane) had persisted in his original intention of bringing it before the House. They would then have had clearly stated the British grievance. The hon. Member would have expatiated on the innocence of the vessel, the veracity and pure antecedents of its owners, the ill-treatment of the crew, the arrogance of the Spanish Minister, and he would have professed himself quite as ready to singe the whiskers of the Don as was ever his renowned namesake and kinsman Lord Cochrane. He (Mr. Gregory) had no intention of dealing with his hon. Friend as a celebrated Judge was wont to do with counsel. He used to say before counsel had opened his lips, "Mr. So-and-so, I know what you are going to urge; but you are wrong, and I will point out exactly where you are wrong." Not knowing therefore what were likely to be the particular points on which his hon. Friend was about to assail the Foreign Secretary, he (Mr. Gregory) was unable to answer them beforehand. All he could say was this, that, generally, there were two sides to every question, and that assuredly there was a Spanish as well as an English side on this occasion. Now, he (Mr. Gregory) must be permitted to observe with regard to himself that he had no bias whatever in taking up this question. He took up originally the papers of the *Tornado* under a different impression from the present. He at first believed that a great wrong had been committed by Spain on England. With regard to the hostilities between Spain and Chili his feelings were equally impartial; if anything, he certainly thought Spain was in the wrong. His sole object in bringing forward this question was this, that the neutrality of England should be real and not fictitious, and that those offenders who deliberately violated the Queen's proclamation and the Foreign Enlistment Act should be repressed and punished, whether they were foreign or British subjects. A series of Papers, nine in number, had been laid before the House upon this case. In the first of these Papers, and as early as January last (I., p. 121), Lord Stanley gave the opinion which he had arrived at in this case in the following words:—

> "It is highly probable that the vessel (the *Tornado*) was destined for the military service of Chili, and was conveying officers in the Chilian Naval Service to Chili; that the owners were guilty of an infringement of the Foreign Enlistment Act, and that they have forfeited all right to insist on Her Majesty's protection or interference for redress."

Every succeeding Paper confirmed and expanded that opinion of the noble Lord, and he would venture to say that no one could study these Papers carefully and dispassionately without arriving at the conviction that, at the least, the vessel was contraband. He, however, went much beyond that, and was satisfied from the contents of the last Paper that at the time of her capture the *Tornado* was a Chilian vessel of war, and that, had the Spaniards dealt with the case properly, the vessel might have been condemned and the crew have been kept prisoners of war until the conclusion of the hostilities between Spain and Chili. There had been great indignation expressed at the conduct of Spain by many of the journals of this country. No doubt the Spaniards had been inexcusably dilatory in their proceedings. The case, simple at first, had been complicated by their mistakes and unhandiness. But had they no right, who had been so much aggrieved by English vessels being joined to the war marine of their antagonists, to be indignant also at the feeble action either of our Executive or of our laws? It would not do to tell foreign nations that they must suffer and be silent, because we had done all that our municipal law enables us to do. We had a lesson on that score in the case of the *Alabama*, and a very painful and humiliating lesson it had been; and, if the Spaniards in the course of their proceedings had been irregular, we should bear in mind the provocation they had received, and consider, as Lord Stanley has considered, that there are other appeals than to iron-clads and reprisals. In spite of all the complications which had arisen and been introduced into the case of the *Tornado* by the inconceivable mistakes of the Spanish Courts, there could not be a case which was originally more clear of all legal technicalities than this. Confusion had subsequently arisen, and nice questions were involved. The duty of the English Minister was, however, simple. It was to stand on the broad and acknowledged principles of International Law, and to see those principles fairly carried out; but turning his eyes from the mere technicalities of lawyers, he might, from his knowledge of the case, be satisfied with the soundness and substantial justice of the sentence pronounced, and refuse protection to those who had wilfully violated the laws of their country. Now, he begged hon. Gentlemen not to be shocked at the suggestion that the Foreign Secretary might turn away his eyes from legal technicalities which were of such importance in our Courts of Law. A Prize Court was not like a Court of Law; it was a much more rough-and-ready proceeding. The proceedings, moreover, of foreign Courts of Prize were not the same as of Courts of Prize in England. In France they were more lax than we were in the admittance of extrinsic evidence. In Spain, so far as the Spaniards could be said to have any practice, they went further than France. He (Mr. Gregory) hoped that some communications might be made with foreign Governments, so that all proceedings of prize might rest on an acknowledged basis. If so, much discontent on the part of private individuals would be spared, and much unpleasantness between Governments avoided. He believed that, before stating the case, he might be allowed to lay down three propositions. First, if the *Tornado* were a British vessel going from one neutral port to another—that is, as alleged, from Leith to Buenos Ayres or San Francisco, to be sold, her capture would be illegal. All on board would be considered British subjects and free. The vessel should be restored and the owner and crew entitled to damages. Secondly, if the *Tornado* was intended to be sold to Chili as a vessel of war, and was on her way there, the vessel would be contraband, but the crew should be set free; but if there were on board persons, although British subjects by birth, yet enlisted in the Chilian service, those persons would be prisoners of war. Thirdly, if the *Tornado* was actually a Chilian vessel at the time of capture, intended for the war navy of the Chilian Government, then, of course, the vessel would be good capture, and the crew prisoners, till the conclusion of hostilities. Let them keep these three points clear before them, and they would be an assistance in applying the evidence. In dealing with this case he must point out that there were three streams of evidence all flowing into one reservoir, as it were; and it would be necessary to follow each of them from its source. He referred to the circumstances connected with the *Cyclone*, those connected with the *Tornado*, and lastly, those connected with a certain Mr. John, or, in the more sonorous Spanish, Don Juan McPherson, who played a conspicuous part in the present drama. In order to be as little prolix as possible, the proceedings of the *Cyclone* and *Tornado* might be combined. From their first appearance they had linked their fortunes together. Each might say of the other—

> "Utrumque nostri incredibili modo consentit astrum."

Both ships were formidable vessels, intended and constructed for warlike purposes. The *Tornado* is described by the Leith officers of Customs as—

> "A formidable vessel of war, with iron plates cut through and ready to show nine portholes—in every respect fitted as a war ship. She is better known as the *Pampero*, a vessel destined for the Confederate service."

Both belonged to the same owners, and were tarred with the same brush. From the successful malpractices in the case of the *Cyclone*, they might judge what would have been the malpractices in the case of the other, had she been equally fortunate. Both ships were protested against by the Spanish representatives; in both cases the owners filled the air with their protestations of innocence. Here the parallel ends; for the *Cyclone* was now one of the war navy of Chili, while the *Tornado* was a prisoner at Cadiz. Now for their proceedings. From the very commencement of their fitting-out, the Commissioners of Customs, to use a nautical expression, "did not like the cut of their jibs," and had their eye upon them. The *Cyclone* gave the first signs of animation — she spread her innocent wings and set sail for Hamburg on the 21st March, in order to get a crew. The *Tornado* followed her example in June. On the 16th July the Spanish Ambassador warned the Government that the *Tornado* was about to return to England for the purpose of taking guns on board, and preying on Spanish commerce. The *Tornado* did return to Leith, but she made a slight detour—she went to the Faro Islands, having on board Messrs. Isaac, father and son, who were described as proprietors. By an extraordinary and fortuitous concurrence of atoms, at the same time that the *Tornado* reached the Faro Islands two other vessels came in and anchored alongside of her. The curious circumstance is not that the vessels should have come in, but that both should have belonged to the same owner as the *Tornado* — both should have been filled with shot, shell, Armstrong guns, gun-carriages, and every kind of munition of war, which Mr. Bridgman, the broker, states that he shipped for Messrs. Isaac, Campbell, and Co., and the still more extraordinary thing was this, — that both these vessels, although bound, the one to Gibraltar, the other to Hamburg, were wafted by winds and tides simultaneously to the little bay of Quaresund, in the Faro Islands, together with the *Tornado*. Everything was now comfortable; the coal was all ready, the munitions of war had arrived, and no doubt a roaring business would soon have been done among the merchantmen of our ancient ally—Spain. Unfortunately, however, accidents do happen in the best regulated families. The crew had, what their employers certainly had not, qualms—qualms of conscience, and they refused point blank to play their part in the drama; they determined they would not transfer the military stores to the *Tornado*. This insubordination of the crew called forth the interference of the Danish authorities (see Affidavit of crew). They forbade any other goods to be placed on board the *Tornado* save 190 tons of coal. Thus the *Tornado* was prevented from arming and changing her flag on Danish territory. Throughout the whole of this business Mr. Isaac is described, to use a vulgar expression, as being as busy as the devil in a gale of wind—until his alacrity was cut short by breaking his leg. Having failed to arm, the *Tornado* now returned to Leith, bearing on board the disabled Mr. Isaac.

While the *Tornado* was lying in forced inactivity at Leith, the *Cyclone* spread her sails nominally for Madeira, but in reality for Fernando de Noronha, where coals, both for her and the *Tornado*, were awaiting her on board the *Lady Flora*, from Cardiff. She there took in 370 tons of coal, and, after a successful voyage, arrived at Valparaiso, where she now carries the Chilian flag. An excellent account of her is given by Commodore Powell, commanding the *Topaze* at that station—

> "The following circumstance may be relied on:—Her master received secret instructions from

Messrs. Isaac, Campbell, and Co. He was especially to avoid falling in with Spanish ships of war. He was furnished with letters to the Chilian authorities at Sandy Point and San Carlos, which, together with his instructions, he was ordered to destroy in case of falling in with a Spanish ship of war. The ship was delivered up to the Intendente of Valparaiso, without any money payment being made to the master, the crew having first been very liberally dealt with and discharged; her name has been changed; he is to carry the broad pendant of Commodore Williams."

Now, it is remarkable that so convinced were the Commissioners of Customs of the *malâ fides* of the *Cyclone* that they delayed her at Yarmouth until she was liberated by a Treasury Order, and the same Mr. Isaac, the owner of the vessel, is found uttering the same protests and vociferations of innocence, as to the purity of his intentions in this case, which he was doing at present as regards the *Tornado*, and with precisely the same amount of truth. A few days after the sailing of the *Cyclone* the *Tornado* followed her sister; but the Spaniards were awake. The Spanish frigate *Gerona* started after her, and came up with her at Madeira. The Spanish frigate arrived at half past six in the evening; and, true to her instructions to give the Spaniards a wide berth, the *Tornado* slipped out the same evening shortly after dark, hugged the shore, and steered to the N.W., a totally opposite direction to Rio, where she professed to be going; and, so great was the hurry of this innocent vessel, that she violated all the port rules, and made the best of her way, regardless of the blank faces of the Portuguese authorities and the blank cartridge which the forts were firing after her. (See the evidence of the civil Governor of Funchal. (I., p. 14.) Now one word more ere the drop scene falls over the unfortunate *Tornado*. She professed to be bound for Rio, but the *Lady Flora*, to which I already referred, was waiting for her, freighted with coals at an enormous expense, at the island of Fernando de Noronha, quite out of her route—and yet when they reached Madeira there was plenty of coals to carry her to Rio, according to the statement of the engineer. It is quite clear that this depôt was intended to enable her to do as her comrade was doing—to steam comfortably to Valparaiso without touching at any eastern port of South America, and thereby running the risk of meeting a Spanish man-of-war.

Now all that has as yet transpired would only amount to a very strong suspicion, or perhaps, conviction, that this vessel was contraband, and was going to Chili to be sold to the Chilian Government; but an actor appears on the scene by which the complexion of the case is altered. Among the persons on board was a certain person, Mr. John M'Pherson. This individual occupied the unostentatious position of third mate. He was merely taken in, says the Captain, to keep his watch, and he intended to leave at Buenos Ayres and have a gallop over the Pampas to Chili. (I., p. 8.) When the vessel was searched on the 29th August a bundle of papers was found of a very compromising description. Mr. John M'Pherson, whom the Captain (Captain Collier) (I. p. 8.) declared he had not known before, denied all knowledge of the papers, or of the Chilian Government. A few days afterwards, however, Mr. M'Pherson's memory grew clearer, and he informed the Spanish officer in command of the *Tornado* (I., p. 9.) in Captain Collier's presence that he was the chief engineer of the Chilian Government. The clouds subsequently seemed to have lifted themselves from off Captain Collier's memory, for in his examination he declared that he had a special recommendation (I., p. 80) from the owners of the *Tornado* to give M'Pherson a berth on board. Now for the papers found on board the *Tornado*. Among them a letter of leave from the President of Chili to Don Juan M'Pherson allowing him to reside in England—two copies of requests to the Government of Chili from J. M'Pherson asking for extension of leave, and also documents proving that, while in England, he was engaged by the Chilian Government in superintending the construction of the Chilian war vessels the *General O'Higgins* and *Chacabuco*. He acknowledges to have engaged for the Chilian Government, engineers, smiths, and carpenters, paying for their uniforms and expenses by funds supplied by Don Juan de Benavente, agent for the Republic. Now all this is confirmed by the information received from Mr. Thomson, our Consul General at Santiago. (VII., p. 57.) That gentleman, though he observed that his information was not capable of legal proof, stated that—

"It is said that the house of Messrs. Isaac, Campbell, and Co. had agreed to deliver the *Pampero* to the Chilian Government in a Chilian port for a given sum; that the ship's papers were got ready with the greatest care, so that no evidence should appear therein that she was destined for the Chilian Government; that the real port of destination of the ship was carefully concealed from the captain, the officers, and the crew of the vessel, and that the only one on board by whose presence the ship could be legally compromised was a Mr. M'Pherson, who was serving as engineer of the ship; that this M'Pherson is, and has been for a considerable time, an engineer in the Chilian navy; that he left Chili for England for the purpose of serving as first engineer on board of any ship which might be acquired in Europe by the Chilian Government, and that he was provided with a formal document to the effect that he had left for England on leave of absence from the Chilian Government; so that, when coming out, he might appear in the character of a passenger returning to Chili by the way of Rio de Janeiro, or Rio de la Plata, and the Cordillera. It is believed that letters were addressed to Mr. M'Pherson by Chilian authorities bearing evidence of his being again engaged in the active service of the Chilian Government, but it is not known if they have passed into the hands of the Spaniards."

It is true the statements were but hearsay, but they confirmed documents which were not hearsay but the most legitimate evidence which can be submitted to a Court of Prize—namely, papers found on board the captured vessel. They got a further insight into Mr. M'Pherson's proceedings as connected with Chili. An English ship called the *Henrietta* went to Bordeaux, evaded the authorities there, sailed straight to Valparaiso, where she now forms part of the Chilian fleet, and Mr. M'Pherson's papers prove that he recommended Mr. David Johnson to be chief engineer of that vessel; but should she, by reason of any accident, be unable to leave the port of Bordeaux, then the Chilian Government was only bound to pay Mr. Johnson's expenses back from Bordeaux to London. Now, this being a serious matter to have had a Chilian agent on board their ship, Messrs. Isaac and Co. describe Mr. M'Pherson as a "humble mechanic quite surprised at the ridiculous rank and absurd importance thrust upon him" (III., p. 2.); and the unfortunate man was obliged to write what is called by Messrs. Isaac and Co. "a straight-forward letter" to Lord Stanley, denying that he ever was the chief engineer of the Chilian Government. This was too much for Lord Stanley, so in reply he asks Messrs. Isaac if the humble mechanic, J. M'Pherson—

> "Is the same person as Don Juan M'Pherson, whose name appears in the Chilian *Navy List*, as senior engineer of the first-class, as having entered the Chilian service in May 1857, and as being on leave of absence in Europe?"

The reply of Messrs. Isaac was really a model of intrepidity. (III., p. 6.) They say—

> "That from Mr. M'Pherson's own statements it is quite clear he must be a different person from the Chilian chief engineer."

And this in the very face of his own declaration, in the presence of their own Captain, on the 5th of September, when he acknowledged himself to be that functionary. Now, after all these evasions, equivocations, and downright untruths, the noble Lord was justified so early as January last in stating—

> "That the evidence taken before the Sumario afforded a strong presumption that the *Tornado* was destined for the military service of Chili, and that her seizure and condemnation in regular procedure by a Prize Court would be within the legitimate rights of the Spanish Government."

It was necessary to be somewhat minute in stating these facts as they proved that Mr. M'Pherson was engaged in the military service of the enemy, and as such might be legitimately constituted prisoner of war by the Spaniards. But now they got to the last stage which covered all and which relieved him from the necessity of going further into the question of contraband, because, if the *Tornado* were proved to be a Chilian vessel of war at the time of her seizure, there was an end to the whole matter; and from the following evidence that conclusion was positively irresistible. In April last, Captain McKillop, of the Royal Navy, seeing that the complications between Spain and England had assumed so serious an aspect, made to the Admiralty the following important statement:—

> "He said that in May, 1866, he was offered by the Chilian Government the command of their squadron in Europe, consisting of two ships called the *Tornado* and the *Cyclone*. He further stated that when on his way with a number of men to join the *Tornado* they were stopped by order of the Admiralty. The men were landed at Portland and dispersed."—(VII., p. 20.)

To this statement Messrs. Isaac and Co. take exception, saying they were not responsible for anything that took place before the 20th of June, the time when they purchased the vessel, and that it was impossible Captain McKillop's statement could be correct that these vessels belonged to the Chilian Government in May, as they purchased them from their owners in June, and they remained up to that time registered in the names of their owners, Messrs. Denny. But this was mere evasion—of course, the Chilian Government did not register in their own name or the vessel would not have got out; she required a godfather and an outfitter, and she found both in Messrs. Isaac. Captain McKillop's evidence was confirmed by facts and dates. The *Tornado,* it is clear, would have been supplied with all munitions of war at the beginning of July, but for the mutiny of the Danish crew at the Faro Islands. On the 10th of July Captain McKillop set forth in the *Greatham Hall* to man her and the *Cyclone* with 200 picked men. He was intercepted by the *Caledonia,* and was landed at Portland. To this information of Captain McKillop, Messrs. Isaac only offer a torrent of denial and abuse. Now if the contest lay only between McKillop *v.* Isaac it would be a question of credibility—and could any reasonable man have a doubt on which side truth lay? Captain McKillop had no object except to make truth manifest; Messrs. Isaac no object except to conceal their malpractices. Captain McKillop's veracity has never been impugned. The whole correspondence of Messrs. Isaac, Campbell, and Co., was one mass and tissue of untruths devoid of the commonest decency. Independently of their exploits in denying the connection of M'Pherson with the Chilian Government, what could be thought of men who, when Lord Stanley invited them to give an explanation as to how their vessel, the *Cyclone,* was now forming part of the Chilian war navy, could have the audacity to send this reply—

> "They note your Lordship's statement that Her Majesty's Government have received intelligence on which they can rely in reference to the *Cyclone.* On investigation it will be found that we have not, in this case, disregarded Her Majesty's proclamation;"

and who had the effrontery, on the 1st of May, to send round a printed circular with this paragraph—

> "They (Messrs. Isaac and Campbell) feel that they can honestly claim the protection of Her Majesty's Government as British subjects who, having violated no law, municipal or international, have been despoiled of their property."

That men who had fitted out and dispatched a war vessel to Chili, which vessel was in Chilian waters with the Chilian flag at her mast head, could dare to use such expressions, baffled comprehension. At all events, it enabled the House of Commons to form a judgment as to which was likely to be most reliable—the statements of Captain McKillop, or the denials of Messrs. Isaac. But if the case required further evidence let them go a little further and look at the testimony furnished by the belligerents themselves. The House was aware that Peru and Chili were allies in the war with Spain. On the 25th of August, 1866, three days after the capture of the *Tornado,* a Peruvian newspaper called the *Nacional de Lima* informed its readers that Chilian agents had bought in Great Britain the *Pampero* (that is, the *Tornado*) and the *Cyclone*; and on the 12th of September, the *Commercio de Lima,* in enumerating the vessels of the Chilian Navy, included the *Tornado* and *Cyclone.* In Chili also, on the 2nd of October, *The Bulletin of News of War with Spain in the Pacific,* an official Gazette published in Valparaiso, and only circulated among a select few, contained the following piece of information:—

> "Among passengers on board the *Santiago* are, &c. . . . It appears the *Cyclone* will arrive safely, and it is considered certain that the *Pampero* will also arrive without accident, as she has received no orders to pass by the coast of Spain and consequently will not incur the risk of being captured."

And two days afterwards the same announcement was re-published verbatim in the *Araucano,* which is styled in the Consul General's letter from Santiago as being "the only publicly recognised gazette in Chili." In fact, it was tantamount to an announcement in our *Gazette* or in the French *Moniteur.* In this summary he (Mr. Gregory) had rejected all stories which had been fairly contested—as, for instance, the story of the hole being cut into the sealed-up cabin of the *Tornado* to abstract papers, the statements of Messrs. Trotter and Jenkins. There was always a Jenkins in these Spanish disputes, and always some unpleasantness about their ears. But the accumulation of evidence, direct and circumstantial, was so overwhelming that he would venture to say there was not a Prize Court in Europe which, with the facts he had laid before them, would not condemn this ship. He had not alluded to the detention of the crew. He left that to the hon. Members for Honiton and Bodmin, and to the Secretary of State to answer them—one thing was perfectly clear, and that was, that the Spaniards might have condemned the vessel as an enemy's ship and detained the crew as prisoners of war till peace was proclaimed, if they had not cut the ground from under their own feet by the extraordinary perversity of their proceedings, both as regards the trial, and by asserting that they detained the crew as witnesses. Lord Stanley was perfectly justified in his protest against such proceedings; but, as to the facts of ill-treatment and compensation to the crew, he should be glad to hear that the reports were not founded on facts, that the crew were paid higher than ordinary wages, as if for a risk, and also some explanation of the acknowledgments of good treatment on the part of the Captain and the crew themselves. Before concluding, he wished to make some observations on the way the case had been treated by Lord Stanley. He (Mr. Gregory) had read every State Paper written by the noble Lord since he became Foreign Secretary, and he would pay him, not the compliment, but the just tribute, that their clearness, good sense, and propriety of language did him infinite credit. He was therefore by no means prepared to assert that in his criticisms he was right and the noble Lord wrong. First of all he asked, how came it that, with the strong evidence of intended malpractices, these vessels were not detained? This was no novel case. The noble Lord and his advisers had before their eyes the course adopted by their predecessors in the case of the rams and the *Alexandra.* The country fully justified the conduct of the late Ministry in dealing with those vessels. In this case there was the strongest evidence as to *malâ fides.* To make this assertion clear, let him refer to dates. So far back as March 1856, suspicions existed in the minds of our authorities that these vessels were intended for the service either of Chili or Peru. During the whole month of July, 1866, the Foreign Office was assailed with warnings from the Spanish Minister. On the 14th July the episode of the attempted arming of the *Tornado* at the Faro Isles took place. On the 2nd August affidavits narrating that affair were received, together with a communication from Mr. Gatherer, collector of customs at Lerwick, stating that, from information which he had obtained, the *Tornado* was intended to engage in the hostilities between Spain and Chili. But the episode of the *Greatham Hall* took place on the 11th July, and on the 9th of that month affidavits were in the noble Lord's hands, or in the hands of the Admiralty, that men were being enlisted to go on board the *Greatham Hall.* These men were actually told by the Captain of the *Greatham Hall* they were going to sea to pick up a ship, and then when on board of her to sign articles under the Chilian flag. Was not that sufficient warning? They should remember that the *Cyclone* was at Yarmouth till the 2nd of August, and did not leave Falmouth till the 7th. The *Tornado* did not start till the 9th of August. It was a Captain in the English Navy who was in the command of the sailors on board the *Greatham Hall.* How came it that the noble Lord did not stir up the Admiralty to make inquiries which must have resulted in the detention of these ships? The Admiralty seems to have been thoroughly supine. He never heard anything more unsatisfactory than the careless manner in which this gross infraction of our Foreign Enlistment Act had been treated in the case of the *Greatham Hall.* It did not appear that the Admiralty ever ascertained who chartered that vessel. Then, again, how came it that the noble Lord never asked for a copy of the papers found on board the *Tornado* until June 1867? These papers and the evidence of the crew threw great light on the merits of the case. In fact, at first they were almost the whole light. The noble Lord might say he had nothing to do with the merits of the case; but as in the great portion of the correspondence the noble Lord dealt with the merits of the case, as he largely imported, and very properly imported, extrinsic evidence, which he submitted to the owners of the vessel for refutation, and by which he was evidently influenced in his dealing as between Government and Government, how came it that these important documents were not under his eyes, and are not now under the eye of Parliament? It was quite clear from Sir John Crampton's letter of the 20th June, 1867, (IX., p. 9) that though now inaccessible they might then have been obtained. He (Mr. Gregory) also took exception to the course adopted by the noble Lord in protesting against the sentence of the first Court as null and void on the ground that the proceedings were objectionable. If the sentence had been definitive the noble Lord would have been perfectly right. It would have been intolerable had condemnation ensued on a mere *ex parte* examination, without the owner being allowed to say a word in his defence — which was the case in this instance. But if he (Mr. Gregory) understood aright the intricacies of Spanish law, this was a mere preliminary inquiry. In it the fullest one-sided evidence was received; had that not appeared sufficient to put the vessel on trial, she would have been set free; offering, however, as it did, a *primâ facie* case of guilt, condemnation followed, and upon the appeal from that preliminary sentence the real trial would have taken place. Our own grand jury proceedings would illustrate the case. There only witnesses for the prosecution were heard; on their evidence a true or no bill is returned, and the case of the *Tornado* was a case of true bill. Some might say that the Spaniards gave the best answers to this criticism by their acknowledgment that these proceedings were null and void; but that was not owing to the irregularity of the proceedings, but owing to the incompetence of the Court, and against the incompetence of the Court the noble Lord did not protest. He thought the noble Lord ought to have warned the Spanish Government that, if the first judgment was to be understood as a mere initiatory proceeding, it might be allowed to pass; but that it was impossible for the British Government to allow the vessel to be condemned without the opportunity of the owners being heard in their own defence, and of testing the evidence submitted to the Court. And he (Mr. Gregory) could not help thinking that the noble Lord had ultimately arrived at the same conclusion from the language of his despatch to Sir John Crampton—

> "You will take an opportunity, however, to intimate to General Calonge that a new trial and judgment, after hearing the claimants, would put the Spanish Government right, not only in the eyes of England, but in those of all civilized States, without derogating in any way from the rights to which a State claiming to be captor of an enemy's ship is entitled. Her Majesty's Government must, indeed, insist upon the claimants having an opportunity of being fully heard before sentence is pronounced, upon any evidence on which the Court may proceed."

A new trial is now to take place. The cause is to be transferred from the Judicial to the Administrative Department, and in the same despatch the noble Lord goes on to say—

> "It is a question of great importance whether the Spanish Government is entitled to avail itself retrospectively of any authorized acts of inquiry already made, should that Government decide to proceed to a new trial, and afford the claimants an opportunity of being heard on such trial; but, on careful consideration, Her Majesty's Government are of opinion that they are so entitled. Up to the close of the previous inquiry, and in reference to the report resulting from it, nothing had occurred which made it incumbent on Her Majesty's Government to refuse to allow that report to be used. It was against the subsequent sentence and condemnation of the vessels, without the claimants having been heard, that Her Majesty's Government have protested. But in assenting to the evidence already collected being made use of, if the case is re-opened and an opportunity given to the claimants to be heard upon it, before the same or any other tribunal, Her Majesty's Government consider that, looking to the exceptional circumstances of the case, the claimants ought to be allowed to produce evidence explanatory or contradictory of the *Sumario*."

Now, he would ask, how came it that after protesting against the initiatory proceedings, on the ground that sentence had been pronounced on unchallenged evidence, the noble Lord allows that same unchallenged evidence to be used against parties who, after such a length of time, and the dispersion of witnesses, cannot properly sift or rebut it? This, to say the least, was something like "straining at a gnat and swallowing a camel." A new trial may of course take place. A suitor in England who sues in a Court without jurisdiction does not forfeit his right of action in a proper court; but as to the evidence given on a former occasion, if the witnesses cannot be produced again, that evidence can only be received on certain conditions. The conditions were these — The evidence should have been delivered before a court which the party against whom the evidence is to be used was bound to recognize. The witnesses at the time should be liable to the cross-examination of the adverse litigant. The evidence should be strictly evidence, and not mere hearsay or gossip, and it should be out of the litigant's power to procure primary evidence. Now, it was clear that these conditions had not been complied with; the evidence was taken before a court without jurisdiction. Messrs. Isaac and Co. had no power to cross-examine; the evidence was much of it mere gossip. He presumed, therefore, that Lord Stanley was satisfied, provided substantial justice was done; and that having thoroughly satisfied himself as to the facts of the case, he was prepared to leave the battle to be fought out by the lawyers of the contending parties, and if that were the case, all he could say was that the reason, if not very recondite, was, at all events, a very comfortable and wise one. He now dismissed the subject of the *Tornado* with one observation, and that was, that he thought it would be highly advisable, in order to avoid future contentions, if some general form of procedure in Prize Courts could be established, and in this age of international comity, such a proposal, coming from the noble Lord, might be entertained by foreign nations. He would now say a few words about the *Victoria*. This case had been mixed up with that of the *Tornado*, and an impression had been created that the Spanish Government had, by a series of insolent and high-handed acts of aggression, been determined on quarrelling with England —nothing could be further from the truth than this impression. In the case of the *Victoria* the conduct of the Spanish authorities at Cadiz was perfectly indefensible. But the Spanish Government never maintained the case against us as one to stand on. They mismanaged and delayed it with the same extraordinary procrastination which had marked their proceedings in the case of the *Tornado*. The noble Lord was perfectly right in insisting that these vexatious delays should come to an end, and reparation be granted for the wrongs inflicted on a British subject sailing under the British flag. But granting to the full all the misconduct that had taken place, had the Spaniards nothing to urge by way of extenuating circumstances. He was sorry to have to make some remarks which would be distasteful both to the House of Commons and to the country; but he felt so strongly on the subject that he could not refrain from doing so. He remembered making some similar remarks some years ago on the subject of the cession of the Ionian Islands, which gained for him much animadversion at the time. Still, the Ionian Islands had been given up, and he believed England had been no loser in power, and certainly had been a gainer in reputation by the cession. He had been recently, for the last two years, in almost every large town in Spain; he had quartered that country pretty nearly as closely as a pointer quarters a turnip field in November, and he knew something of Spanish feeling. He was surprised to find almost everywhere throughout Spain, in spite of the traditions of the great war, in which we fought side by side, that France, notwithstanding all the misery she had inflicted on Spain by her invasion, was far more popular than we were. The old feeling in Spain was pre-eminently English. He remembered quoting to the last Spanish Ambassador the famous Spanish proverb, "War with all the world, but peace with England." He used the word "Ynglaterra" for England, but the Marquess de Moline corrected him, and remarked that that word was "Yngalaterra," a far older form, which pointed back to the ancient origin of that traditionary good feeling towards England. Now all that had disappeared. Soreness and anger pervaded that country. That soreness and that anger arose from one source alone; but from that source flowed many bitter streams. That source was Gibraltar. What must be the feelings of a proud and sensitive nation to hear daily the bugles and the drums of a foreign garrison encamped upon her soil. Let them picture to themselves the feeling of France if an English garrison continued to hold Calais; and yet, if such were the case, he was perfectly convinced that Parliament and the country would believe that the very existence of England depended on the maintenance of Calais. Let them draw again on their imagination, and conceive the French tricolour waving over Portland. Would France or England rest quiet for one moment under such an intolerable insult? Why, they would spend their last guinea and their last man rather than submit to such a degradation. Now, the word Gibraltar recalled to every Spaniard not only the present insult, not only the fraud by which Rooke became possessed of it, but the practical evils which arise from our possession of it. The proceedings at Gibraltar were a never-ending source of annoyance and wrong to Spain. No one single act of ours had more alienated Spanish feeling than the unfriendly and unhandsome behaviour of England during the attempt of Spain to chastise those *hostes humani generis*—the people of Morocco. We called in a debt while they were in their struggle; the attitude of our Consul notoriously leant to the Moors; it was evident that England wished Spain to fail. And why? Because, if the Moorish sea-board fell into Spanish hands, Gibraltar might be straightened for fresh beef. The case of the *Victoria* sprang also from this source. Gibraltar was notoriously the hot-bed of smuggling; from under its fastnesses vessels were constantly plying to-and-fro, landing English contraband goods in Spain. The great business at Gibraltar, and in its neighbourhood, was smuggling, and they must bear in mind that in Spain the line between the contrabandist and the bandit was often lightly traced. In this case the *Victoria* was a Spanish vessel, with a Spanish captain, a Spanish crew, and was moreover a notorious smuggler. The ostensible owner of the vessel was a certain Larios, a Spaniard, a well-known smuggler at Gibraltar, one of three brothers, who have made Gibraltar, Malaga, and Cadiz their ports of business. This Larios, like other Spanish smugglers, had contrived to get himself naturalized as a British subject by going through certain forms at Gibraltar. This was a subject which came under the cognizance of the Colonial rather than of the Foreign Office; but he hoped the noble Lord would make some inquiry into the subject, and see how this process of naturalization was effected, because it was evident that by means of it great injustice was being done to Spain, and the English flag was employed to cover notorious evil practices. Could they not, however, cast their thoughts a little further, and consider well what justification they could offer to the world or to themselves by the retention of Gibraltar? He did not say give Gibraltar up at once. They might require Ceuta in exchange. The Government of Spain, moreover, was such that many enlightened Spaniards had assured him that it was fortunate for them to have some place of refuge from the bullets of Marshal Narvaez. He hoped, however, that the time would come when the public conscience would awake, and when the claims of Spain for the restoration of part of her mainland would be considered to be not less strong than the claims of the Ionians to their Seven Islands. Such was the moral he (Mr. Gregory) drew from the case of the *Victoria.* Such was the reason why he had alluded to it at all on that occasion. In conclusion, he would express a hope that the malpractices he had described in the case of the *Tornado* might not meet with reward or even with impunity. He hoped that vessel would not escape through mere legal technicalities, for he was confident when the real bearings of this case became known, as they would be throughout England after this debate, the public sense of the country would acknowledge that Spain had just cause for complaint, and that a great wrong was being done to her, either by the laxity of the Executive, or the inefficiency of the law. He trusted, therefore, that not another year would elapse ere the Executive might have its hands so strengthened by Parliament as to enable it to deal effectually with cases such as these of the *Tornado* and *Cyclone.* If by reason of jealousy they refused to grant additional powers to detain vessels against which strong suspicions existed, if the onus of disproving these suspicions were not cast on the owner, then they would strengthen that opinion which prevailed abroad—that England, vigilant and arrogant when a wrong was done to her, was palsied and shortsighted when her citizens were doing wrong to others, and the time would come, and they already had had their warning in the case of the *Alabama,* when they would have to pay for their shortcomings, whether arising from negligence or neglect, with tenfold compound interest.

Sir ROUNDELL PALMER said, he did not propose to enter into the subject of the general relations between Spain and this country, or into any discussion upon the merits of the question before the House, because some of the matters touched upon were still the subject of diplomatic or judicial proceedings. Still, he had no intention of finding fault with the manner in which his hon. Friend (Mr. Gregory) had brought forward the case; he had spoken with great propriety, and with the general spirit of his remarks on the duties of neutrality he heartily concurred. But there was one point connected with this subject, to which he might refer without any fear of embarrassing Her Majesty's Government, or of prejudicing their future negotiations, because it had now been deprived of practical importance by the admission of the Spanish Minister, that the earlier proceedings in this matter had been taken before an incompetent tribunal. In the course of the negotiations which were undoubtedly conducted in a most able manner by the noble Lord, there arose a question involving a most important principle, as to which the noble Lord had been advised to take up a position which, he confessed, appeared to him untenable. It was a settled principle of International Law that, when a belligerent right was asserted by a Government at war against neutral vessels, that right was not to be determined with a high hand according to their mere will and pleasure, but that some judicial proceedings must be taken in what was called a Prize Court, in order to justify publicly and formally the grounds on which, if at all, the vessel was to be condemned, and the neutral subject treated as a violator of neutrality. But the International Law which prescribed this course did not in any way prescribe the forms of the procedure which was to be adopted by foreign Governments, and, as a consequence, did not hold the neutral Government bound in any case, whatever might be the result, even if obtained in the most regularly constituted Prize Court. Every nation was left, at the end of the proceedings, to judge for itself whether substantial justice had been administered to its subjects, and if it believed that substantial justice had not been administered, it was not bound to abide by the decision, even though it might be confirmed on appeal. He believed he was right in saying that when the mutual claims between this country and the United States were considered and determined at the close either of the last or the previous war by a joint commission for the purpose, the United States succeeded in obtaining compensation for some vessels condemned in a perfectly regular manner by our Prize Courts. That being so, it would be quite a mistake for this or any other country to dictate to a belligerent country the form of procedure; and here it was that he thought the Government and their legal Advisers had been betrayed into an error, perhaps not unnaturally, in the first instance, though he regretted that it had not been subsequently perceived, and that it had been persevered in when it ought to have been discovered. What the Spanish Court seemed, in the first instance, to have done, was to conduct an *ex parte* investigation in the absence of the claimants, and without their having the opportunity of hearing or knowing the evidence taken, or of arguing their case, or defending themselves in any way, and upon that *ex parte* statement to pronounce an absolute sentence of condemnation against the ship. On the face of that proceeding it was but natural to construe it as a final proceeding, really intended to be what it seemed to be, a sentence of condemnation of the ship; and no one who read it could be surprised that the noble Lord and those who advised him had at first placed that interpretation upon it. If that had been its true and real meaning he should have been the first to agree that the advice given to and adopted by the Government was right; and that a sentence, pronounced under such circumstances, could not for a moment be recognized as effective to bind the interests of neutral subjects. The expression, "null and void" was not, he thought, a happy one; but, if right in substance, that was a question of words, which he would not criticize; and he had no exception to take to the line adopted by the Government upon the advice of the legal Advisers of the Crown, when they stated that they could not regard this as an effective sentence condemning the vessel. But it turned out, when the matter came to be explained by the Spanish authorities, that this proceeding did not really bear, in Spain, the construction which had been put upon it in England. It appeared, that this supposed sentence, which in Spain was called the *Sumario*, was really no judgment at all, unless acquiesced in as such; it was (if an analogy were sought in English law), at the most no more than an *ex parte* inquisition, or like the finding of a Grand Jury on an indictment. It did not require to be reversed upon appeal; it simply went for nothing, if a trial upon the merits were demanded. If any one objected to it, whether claimant or captor, he had only to state that fact, when the case would be tried on its merits, with every opportunity of the parties being heard. That which was called a *Plenario* would be the real trial. As soon as that was explained the right to object to the first stage of the proceeding by Her Majesty's Government appeared to him to be entirely gone; because, immediately upon it, the claimant ought to have taken the necessary steps for having his case tried on its merits; and if it so happened that the same Court had proceeded to try the case, he was not quite sure that even that would be without a parallel in this country. Be that as it might, and whether such a manner of proceeding were convenient or inconvenient, satisfactory or unsatisfactory, it was not for this country to dictate the form of procedure; but if in the end we thought that justice had not been done, we should then have had a right to object. It was very fortunate for us that the Spanish Government had admitted that the procedure was wrong; and, if it had been otherwise, he might not have ventured to speak so freely about it. The noble Lord not only thought he was doing right, but he had been desirous of doing what was right from first to last, and therefore he should have been unwilling to make these observations at a stage of these proceedings when it would have been likely to have embarrassed the Government. The principle he (Sir Roundell Palmer) contended for was, he was satisfied, right and sound. If we had done what we were in great danger of doing we might have caused the parties — who might probably have no merits at the bottom—to say that since the British Government had pronounced the procedure null and void from the first step, they would take none of the steps required by Spanish law for their defence, but would throw it on the British Government to assert their case. The claimants, in fact, had all but done so; but the acknowledgment of the error which had been committed in Spain now deprived that mistake of any practical importance.

THE ATTORNEY GENERAL said, he could not help thinking that his hon. and learned Friend had accused the Government of a fault which could not fairly be laid to their charge. He did not for a moment contend that Her Majesty's Government had a right to dictate to the Spanish Government of what this Prize Court should have consisted, how it should be managed, or what particular procedure should be adopted; but he maintained, that in all cases in which the shipping of this country was concerned, it was most improper that even a *primâ facie* sentence of condemnation should have been pronounced in the absence of, and without hearing the evidence of, the claimants. He did not pretend that Great Britain could complain because the Spaniards chose to admit in the first instance newspaper reports and hearsay evidence, but he maintained that before a sentence of condemnation was pronounced, there should be a fair opportunity offered for urging objections and claims. No Court had a right to pronounce a sentence of condemnation and then to say that an appeal to the same Court might be made against its own decision. If the *Sumario* had been nothing more than a mere indictment or *acte d' accusation*, on which other proceedings were to be founded, there would have been no objection to such a course of proceeding; but it appeared that the report of the auditor specified the facts and rumours on which the vessel ought to be condemned. That, in his opinion, was a sentence of condemnation; and was it to be contended that though a party who was found guilty on *ex parte* evidence was told that he might appeal, the fact of his being found guilty was not a sentence to all intents and purposes? In a letter of January 9, 1867, Consul Dunlop wrote from Cadiz to Lord Stanley, stating that the Spanish jurists to whom the proceedings regarding the *Tornado* had been submitted were unanimous in denouncing the sentence as illegal, and they were also unanimous in denying the legality, by Spanish law, of the whole of the proceedings subsequent to the capture. He contended that they had not interfered with the procedure of the Spanish Prize Court, but only against the condemnation of persons without a hearing; and this country ought not to sanction the establishment in a foreign country of a Prize Court in which persons might be condemned without a hearing. It was its duty to protest against it as contrary to natural justice, and one that ought not to be considered a tribunal before which questions of a prize or no prize ought to be entertained. The information received by the Government of what occurred in the first instance was such as made it imperative that they should interfere, and in the mercantile interests of the country, to say, that, although foreign countries might adopt a mode of procedure in their Prize Courts, they could not condemn vessels or the owners of vessels, and the crews, to be prisoners of war without first hearing what they had to say.

MR. BAILLIE COCHRANE, whilst agreeing in much that had fallen from the hon. Member for Galway (Mr. Gregory), differed from him entirely as to the character of the ship and the conduct of her owners. There had been no doubt a great prejudice raised against those gentlemen in consequence of its having been represented that their ship was a vessel of war, and had been sold to the Chilian Government. He felt under great difficulty in dealing with the case, because he was opposed to the opinion expressed by the noble Lord the Foreign Secretary, as stated in his despatches, and in whose judgment the country placed so much reliance. He contended that the suspicion of that ship having been sold to the Chilian Government did not justify Spain in condemning it; or at all events it did not justify them in detaining the crew as prisoners of war. It was now one year since the vessel was captured. He had a strong—he might say a somewhat personal—interest in the matter, several of the crew having come from his own county, his own neighbourhood, Scotland. These men from first to last, and until the vessel was seized by the Spanish Government, knew of no charge that could be made against the owners, and of no suspicion attaching to the ship. He was even prepared to prove that the vessel never belonged to the Chilian Government, and further that she was never intended to belong to the Chilian Government. It was true that the *Cyclone* and the *Tornado* were sister ships. They were men-of-war built for the Confederate States, and they came into the possession of Messrs. Isaac, Campbell and Co., in the month of July or the latter end of June. As to the antecedents of these ships—supposing that what Captain M'Killop said was correct, that he was offered the command of a Chilian squadron consisting of the *Cyclone* and *Tornado*, he did not see what that had to do with the question. That grave suspicion attached to the ships he admitted; for, as he admitted, they had been built for the Confederates. But with regard to that suspicion, numerous documents bearing on the subject had been submitted to his noble Friend at the head of the Foreign Office; a very strict inquiry took place, and the result was stated in these terms—

> "With reference to your letter of the 7th inst., with respect to the *Tornado* and other vessels supposed to be intended for the service of the Chilian Government, I am directed by Lord Stanley to request that you will inform the Lords Commissioners of Her Majesty's Treasury that, after a further reference to the Law Advisers of the Crown, his Lordship is advised that at the present there appears to be nothing calling for the interference of Her Majesty's Government in the cases alluded to.—I am, &c. E. HAMMOND.
>
> "Foreign Office, August 14, 1866."

Up to the time when these vessels sailed there was nothing in their antecedents to awaken the suspicions of the crew. This was additionally clear from the instructions that were given to Captain Collier. The only instructions given were these—

> "7, East India Avenue, E.C.,
> "London, July 31, 1866.
>
> "Dear Sir,—Having completed your arrangements, shipped your crew, and all things necessary for your voyage, you will leave without delay and proceed for Rio Janeiro and Buenos Ayres, calling at Terceira to coal. We enclose you letter to G. P. Dart, Esq., for this purpose. Leaving this port, you will direct your course to Fernando Noronha, about 4 deg. latitude South, 31 deg. longitude West, where you will find the steamship *Lady Flora*, Captain G. W. Ward, laden with coal for your use. We enclose you letter for Captain Ward herein. You will proceed under easy steam when in calm, and use your sails when in favourable weather, so as to save as much coal as possible. Should you be compelled to call at any port for repairs or stores, you will complete your business without delay, and we authorize you to draw on us in due course for such amounts as you may require. If you decide on proceeding direct to San Francisco you can do so, calling at the Falkland Islands for coal. You will find letters and full instructions awaiting you at the following places—namely, Buenos Ayres, Henry N. Hart, Esq.; Falkland Islands and San Francisco, the British Consul. We rely on your doing your best for our house.
>
> "S. ISAAC, CAMPBELL AND Co."

Nothing could be more clear; they were as natural as possible. He had here a letter which had not been published, and which might throw further light on the subject, an extract from which he hoped the House would allow him to read. The master had been informed that he would find letters, &c., for him at Henry N. Hart's, Buenos Ayres. The following was an extract from a letter, dated Buenos Ayres, September 23rd, 1866, from Henry N. Hart to Messrs. Isaac, Campbell and Co. The original was in the hands of Messrs. Isaac, Campbell and Co.'s lawyers at Cadiz—

> "My dear Saul,—I have received yours of the 8th ult., in which you advise having given a letter of introduction and a letter of credit to Captain Collier, of your steamer *Tornado*, which was to proceed to Rio Janeiro, and might come to Buenos Ayres (or Montevideo, in which event she would be consigned to Ernest), and my assistance is requested to sell or charter her. I have to state, in reply, that, although such business is not strictly within my sphere, I shall give it my best attention, and sincerely hope that it may result as profitably to you as you can anticipate. I see that your captain would draw on you direct. The facilities for drawing could only be given by my endorsing the bills and remitting them for collection, which might entail an expense, for which, doubtless, you are prepared. Our war with Paraguay is now drawing to a close, but still if your steamer do not draw too much water she might be useful for a final push."

The *Tornado* started on her expedition, and all her paper were *en règle*. What did Consul Graham Dunlop, who had throughout behaved so admirably, say on this subject?—

> "I have examined the officially certified copies of the ship's register and bill of sale, with her 'articles of voyage' from Leith to Rio Janeiro; and Mr. Isaac, her owner, has also exhibited the copies of his instructions to the master. These papers are all in order, and afford proof of her being *bonâ fide* British property, and I consider that Mr. Isaac has a right to ask me to enrol his vessel at my Consulate."

What occurred? The Spanish Consul telegraphed to Madrid. The *Gerona* had orders to intercept the *Tornado;* but if Captain Collier had suspected his vessel to be violating neutrality, would he have left the harbour of Madeira? He did leave the harbour, and was fired upon by the *Gerona*. A shot struck her; she was forced to lay to, was boarded, and her crew made prisoners. Would the Captain without the slightest means of defence, have left the harbour under such circumstances had he been, as was alleged, conducting a vessel belonging to the Chilian Government? Why, then, did he leave? Because there was nothing about this vessel to induce him to think that he would be either attacked or followed. He thought a single explanation would put an end to the whole affair. He would here read a letter from the Rev. Mr. Davidson, a man of the highest character, whose brother was engaged in the *Tornado* as one of the seamen—

> "My brother's joining the *Tornado* as a seaman was so much in the ordinary course of business that no record was obtained that I could transmit to you. Showing signs of convalescence, the doctor recommended him to take short and easy voyages in the hope of final recovery. He had been two or three voyages to Hamburg, &c., in a Leith steamer. On returning from one of these the *Tornado* was lying at Leith and the captain engaging seamen. My brother, thinking that a southern voyage in a steamer would be beneficial to his health, at once engaged as an ordinary seaman. His health had not permitted him to take any charge, as formerly, but he was able to do most of the work required of a seaman on board a steamer. He signed articles in the usual way at the Shipping Office, Leith. His wage was about the ordinary rate at the time—£4 per month—and a half-pay note, according to usual custom, was signed and given to his mother. Everything done was in the ordinary way, nothing to indicate anything unusual, much less unlawful. Had anything of a hazardous nature been suspected he would never have engaged for the wages he could have received in any other vessel.

It was, therefore, perfectly clear that the crew, when they embarked in the *Tornado*, were perfectly ignorant of any suspicion attaching to the ship. His hon. Friend laid great stress on the statement that the *Cyclone* was now in the Chilian service. That was an important part of his argument. The whole thing, however, was a perfect delusion; the reference was to a different ship altogether. He should not assert this if he were not able to prove it. From the evidence it appeared that, whereas one ship *Cyclone* was described as a vessel of 446 tons burden, the ship *Cyclone* now in the Chilian service was a vessel of 887 tons burden. [*Laughter.*] Hon. Gentlemen might laugh; but he could not understand how a vessel of 446 tons could be the same vessel as one of 887 tons. He felt the greatest reluctance to express any opinion differing from that of the noble Lord, who always brought great knowledge, assiduity, and ability to bear upon such subjects as that now before the House; but he was afraid that the noble Lord had allowed his mind to be unduly influenced by the statements of M'Killop, Potter, and others. Even supposing that M'Pherson had been formerly in the Chilian service, would that justify the Spanish Government in seizing any ship which he might happen to be on board? He now came to what was really a very painful part of the case, and he trusted that the House would view the matter fairly, and would throw aside any vague suspicion that might have entered into their minds as to the part taken by Messrs. Isaac, Campbell and Co. in the transaction. Whatever grounds for suspicion might exist with reference to the position of those persons, nothing would justify the cruelty which had been inflicted upon the crew by the Spanish Government. He was sorry to hear the hon. Gentleman opposite justify the detention of the crew in prison—and sometimes in chains—from August to December without their being permitted to communicate with their Consul.

Mr. GREGORY denied that he had attempted to justify that part of the conduct of the Spanish Government.

Mr. BAILLIE COCHRANE said, he was glad to hear the hon. Member make that statement, because in his opinion the conduct of the Spanish authorities in that respect was totally unjustifiable. The crew declared upon affidavit that they had made no resistance; that there were no arms on board the *Tornado*, but that they were nevertheless subjected to the greatest violence; that they were not permitted to put on their clothes before they were hurried on board the Spanish vessel; that they were allowed no water to wash themselves; that no hammocks or beds were allowed them; and that the Spanish Captain threatened to punish them when they complained of this ill-usage. They further stated that many of them were severely injured by being kept in irons for a long period. He merely alluded to these facts to show the spirit in which the Spaniards had treated the crew, a spirit which no amount of suspicion as to the character of the vessel would have justified. The Spanish Courts had directed that the decision of the Court declaring the vessel to have been lawfully seized was illegal, and therefore he had hoped that the Spanish Government would have been compelled by the noble Lord to indemnify the crew for their detention. While regretting that he was compelled to differ in this case from the noble Lord, than whom no one sympathized more with his fellow-countrymen when unjustly suffering at the hands of foreign nations, he hoped that the noble Lord would maintain the dignity of the country and the just rights of Englishmen by insisting upon an indemnity being made to the crew of this vessel who had been so subjected to this unjustifiable ill-usage.

SIR ROBERT COLLIER said, the case of both parties to this dispute had been very forcibly stated by those who had constituted themselves their respective advocates; but he must express his regret that while the matter was still pending before the competent tribunals to determine the question the merits of the case had been entered into in any way in that House. As a former Law Officer of the Crown, he felt bound to say that he did not think the Government, upon any evidence which had as yet been offered, or upon any arguments employed by his hon. Friend, would have been justified in taking upon themselves the serious responsibility of stopping this vessel. The question might be regarded in two aspects—the legality of the capture of the vessel, and the treatment of the crew. Now, upon the latter point, they were fully in a position to express an opinion, because they had the whole of the facts before them, and he did not hesitate to say that the conduct of the Spanish Government, in this respect, was entirely without excuse or palliation. It should, too, be borne in mind that the crew were detained, not as prisoners of war, but as witnesses, and it was perfectly unparalleled in the annals of Prize Courts that the whole of a crew should be detained, as the crew had been in this case, for seven or eight months as witnesses. In the very nature of a Prize Court the evidence of some of the crew would have been required, but making allowance for some exaggeration, which it was but natural to expect, it must be acknowledged that the crew had been subjected to a great deal of unnecessarily harsh treatment. Their boxes were broken open and their goods had been plundered, according to their statement, and he believed that that statement had not been very distinctly denied. It was said, too, that some of them were kept in irons under a burning sun, and that others were kept for a month with scarcely water sufficient to wash, and without the ordinary conveniences of civilized life. He thought that the noble Lord had been quite right in drawing a distinction between the two questions of the capture of the vessel and the treatment of the crew. He believed, too, that the noble Lord was perfectly right in instructing our representatives to demand, not merely the liberation of the prisoners—a demand which might well have been made earlier—but also an indemnity for the hardships they had undergone. The noble Lord was not merely justified in demanding compensation, but he was bound to do so; and he (Sir Robert Collier) should be glad to know before the debate concluded that the noble Lord intended to persist in that demand. Upon the question of the capture of the vessel, it appeared to him that the Attorney General had entirely failed to answer the objections urged by his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer). His hon. and learned Friend maintained that the Law Advisers of the Crown would have been perfectly justified in treating the decision of the Prize Court as null and void if it had been a final sentence, but, inasmuch as it was shown that the proceedings which had been taken were only of an interlocutory character, his hon. and learned Friend maintained that such a course was unjustifiable. Although we were not bound to submit to decisions affecting our subjects arrived at in defiance of the fundamental principles of natural justice, and the principles by which the proceedings of civilized tribunals were regulated, we were not, on the other hand, entitled to insist upon foreign Courts adopting our own particular forms of judicial procedure. And, therefore, though the proceedings of the Spanish Court might have been tedious, protracted, and burdensome, we had no right on those grounds to declare their sentence null and void. The report of the auditor did not appear to have been a final judgment, and it did not seem that any substantial injustice would be committed by an auditor giving an adverse opinion so long as the power existed of having the case brought before a competent tribunal and fully heard. The Government, he believed, had gone too far in their conclusions; but, having arrived at the conclusion they had done, he thought it was their duty to have insisted upon the restitution of the vessel. But the Government did not act up to their conclusions, and in so doing acted rightly, though they arrived at their decision by two wrong steps. On page 60 of the Correspondence, the noble Lord, after declaring that proceedings in the case were "absolutely null and void," suggested that the Spanish Government—

> "No longer relying on the proceedings at Cadiz, may desire to have recourse to another form of procedure more comformable to International Law, and in harmony with what the Spanish lawyers affirm to be the laws and institutions of Spain."

But, suppose this second set of proceedings had afterwards to be declared null and void, was the Spanish Government to commence a third set? If the proceedings were really null and void, the noble Lord should have required the restitution of the vessel. Happily that was not done, and in this respect he thought the noble Lord was right, because he believed the opinion as to the nullity of the former sentence was wrong. There was no doubt that the Minister of Marine was the Court of Appeal to which the former decision would in the former case be carried; and it would have been better if the owners of the vessel had been told to appeal to the Minister, instead of being informed that the proceedings were null and void. But whatever had been done in the past, he hoped the noble Lord would insist on the termination of all proceedings with respect to the *Tornado* within a reasonable time, because the time was approaching when the delays which had arisen in the case would amount to a denial of justice; in a short time the owners of the vessel would be in the same position as if there had been no trial at all. He concurred with the hon. and learned Member for Richmond in saying that the noble Lord had on the whole taken the right course; he had been right in the end, though wrong in one or two of the steps by which he had secured that end. The time, however, had now come for entering upon a new course of negotiation; it must be distinctly understood that there should be limits to the arrogance and impertinence of the weaker Power and some limit also to the forbearance of the strong.

MR. BRETT observed that the first question to consider was as to whether the belligerent Power was justified in taking the vessel. Reasonable grounds for suspicion would justify a seizure, and the hon. Member for Galway (Mr. Gregory) had argued that there was not only a case of suspicion, but that the ship should be detained. The hon. Member for Honiton (Mr. Baillie Cochrane) however, had said that the vessel should not be condemned because she was innocent. As to the soundness of these opposite conclusions, the House was not in a position and had not the right to determine. The most simple person, however, after hearing the statements which ahd been made, would conclude that a case of the gravest suspicion had arisen against the *Tornado*, and if the House were called upon to-day to decide as to whether it were a Chilian ship or not, he believed hon. Members would come to the conclusion that the balance of evidence was in favour of its having been sold to the Chilian Government. The Spanish Government, then, was justified in taking the vessel, and no one could say that the Foreign Secretary should have prevented the trial. All that the neutral Power could insist on was that the ship should be tried before a properly constituted Court, by laws which accorded with natural justice; and the only thing that could be objected to in connection with such a trial would be the sentence. Thus, the whole point in dispute between the hon. and learned Member for Richmond and the Foreign Secretary was as to whether what was objected to was a sentence, or merely a report touching a case in course of being tried. That could be ascertained by deciding whether any further steps were needed in order to bring the trial to an end without respect to power of appeal. The Attorney General had made out that a sentence had been passed, and the hon. and learned Members for Richmond and Plymouth had both admitted that it was a sentence contrary to natural justice. The hon. and learned Member for Plymouth said that these men were detained only as witnesses, but that was not the only ground on which they were detained. If the *Tornado* was really a Chilian vessel of war, and the men went out in her knowing that fact, the Spanish Government had a right to detain the crew to see whether they were not prisoners of war. No complaint appeared to have been made against the conduct of the Foreign Office in this transaction; and as to the Opinion of the Law Officers of the present Government, he submitted that it was more correct than the criticisms upon their conduct which the House had heard from the Law Officers of the late Government.

MR. WYLD said, he was quite sure from the tone of the discussion, that the crew of the *Tornado*, in whom he felt more particularly interested, would receive impartial justice at the hands of Her Majesty's Government. The question was, whether the Spanish Government had or had not committed an illegal act? He contended that they had. The papers of the *Tornado* were perfectly regular, and her owners were anxious to have the question investigated upon its legal merits. They asserted that they had never parted with the ownership of the vessel, and their object was to send her to a port on the South American coast, and that the Captain and crew were cognizant of the legal character of the voyage. There was no proof of any transfer of the ownership of the vessel.

The men only received the ordinary rate of pay, and no special inducements were offered which would lead to the suspicion that they were shipped for dangerous service. It was believed that the Government of the Argentine Republic were in want of a vessel of this kind, and a British shipowner had a right to send his ship to any port at which he was likely to find a purchaser for her. It was, no doubt, alleged that the *Tornado* was a war vessel; and it might be true that the antecedents of the vessel were such as to justify the Spanish Government in getting possession of her and taking her into Cadiz. It appeared that there was no law in Spain under which a new trial could be granted to the claimants of the vessel or to the injured crew; and that it would be necessary for the Cortes to pass a special law for the purpose; but he could not conceive it possible for the British nation to submit to the condemnation, upon an *ex post facto* law, of a vessel claiming to be British. The whole course of the proceedings at Cadiz was an outrage on every law of civilization, and the sentence arrived at by the Spanish tribunal had been very properly protested against by the noble Lord the Foreign Secretary. The conduct of the Spanish Government towards the crew of the vessel was barbarous in the extreme.

LORD STANLEY: The general tenour of the debate is so little hostile to the course adopted by the Government, and there have been so many expressions of confidence from both sides, that it will not be necessary for me to trouble the House at any length. Before going into the case of the *Tornado*, I wish to refer to one or two other points incidentally raised. The hon. Member for Galway (Mr. Gregory) has alluded to the *Victoria*, but nothing is to be said or done further in that case. The justice of our claim is not disputed, but has been admitted frankly and fairly by the Spanish Government. I will not say that the claim was evaded in the first instance; but the settlement was delayed from time to time upon one pretext after another, and it became necessary to urge it in an emphatic and serious manner. I would not have reverted to this question if it were not that the allusion of the hon. Member for Galway gives me an opportunity of denying that which I have often seen publicly reported—namely, that a menace was used, or was intended to be used, to bring about the result which has been obtained. That is not the fact. With a high spirited and sensitive people like the Spaniards no more unwise course could possibly have been taken, nor one more likely to defeat its own object. With regard to questions arising out of the British possession of Gibraltar, they are far too grave to be dealt with incidentally in the course of debate on another subject. I can quite understand that Spanish feeling may not be favourable to our retention of the fortress, but there is an English as well as a Spanish feeling to be considered; and I do not think that this country, as a whole, would be particularly well pleased if they heard that the cession of that fortress was to be proposed. I cannot, of course, say what turn opinions may take in the future, but for the present this is hardly a practical question. No doubt questions as to smuggling do arise there, and form a fruitful subject of misunderstanding, and no doubt we are bound to do nothing to encourage the infractions of the revenue laws of a foreign country; but, on the other hand, it cannot be contended that it is our duty to enforce those laws. If the Spanish Government wish to put an end to the contraband trade now carried on to a great extent, they have sufficient remedies in their own hands, either by appointing revenue officers whom they can trust, or by lowering their tariff. As to the question of the *Tornado*, my part in the discussion must necessarily be very limited, because whatever other Members may feel themselves at liberty to do, I should not be justified in expressing any opinion, direct or indirect, upon the merits of a case which is still under judicial consideration, and the decision upon which may be, and very likely will be, the subject of diplomatic comment and representation. The hon. Member for Galway asked why the Government did not prevent all these difficulties by detaining the vessels before they sailed? We did not do so because we were advised that we had no legal power to do so. I communicated with the Law Officers of the Crown, with the Admiralty, and with the Customs Department, and the necessary evidence was not forthcoming. If the complaint is that we did not go beyond the law in order to prevent these vessels sailing, I say that is an extreme course, only justified, if at all, by absolute necessity, which might have involved the State in very heavy pecuniary liabilities, and which might furnish an inconvenient, and even a dangerous, precedent for the future. As to the inadequacy of the present law for the purpose of enforcing neutrality, that is, no doubt, a subject on which there is a great deal to be said, and I am not disposed to contend that the law, as it stands at present, is in an absolutely satisfactory state. I am the last person who should make such an assertion, because one of the first steps taken when the present Government came into power was to appoint a Commission to inquire into that subject with a view to prevent the recurrence of such events as some years ago very nearly lead us into difficulty with the Government of the United States of America; at the same time I fear that whatever the state of the law may be, the means of evasion will always be found. While ships of war and material of war are allowed to be sold in foreign countries, you will always find persons who will be ready and able to evade the law successfully. I doubt whether any Government in the world has succeeded in absolutely enforcing neutrality upon its subjects. Passing from that there are three questions connected with this case to which the attention of the House has been called—one, the legality or justice of the original capture; another, the treatment of the crew; and thirdly, the legality and justice of the subsequent proceedings of the Spanish Government. With regard to the first, the legality of the original capture, I am bound to say that no one can blame the Spanish Government for exercising their right in that respect. That they, with all independent nations, possess the right of capture in such cases, is undoubted, subject always to this—that if the capture cannot be justified according to International Law the owners, the crew, and generally all who are aggrieved thereby are entitled to compensation. I do not think, however, it can be said under all the circumstances—undoubtedly of strong suspicion—that the Spanish Government was not justified in making the capture. They did it at their own risk, and that a *primâ facie* case might be made out by them seems clear enough. The capture therefore never has been made a matter of remonstrance. Then, as to the treatment of the crew, I think it is quite impossible to deny—I never have denied, I have asserted the contrary very strongly—that both at the moment of capture and subsequently, during the earlier period of their detention, very undue and unnecessary harshness was employed by the Spanish Government. Any one who reads the account given by the crew themselves of what happened at the capture of the vessel, will, I think come to the conclusion—although some little exaggeration was inevitable under the circumstances—that things occurred, not creditable to the commander of the Spanish vessel or to the honour and discipline of the Spanish navy. With regard to the treatment of the crew after their arrival, that was the subject of very early and emphatic representation on the part of the Foreign Office. We could not deny the right of the Spanish Government to detain the men pending the trial, and while their evidence was wanted; but we did everything in our power, and we did it successfully, to obtain a mitigation of their harsh treatment while they were detained, to press on the trial itself, and to obtain the release of the men as soon as their evidence had been taken. In that we succeeded, with the single exception of the case of M'Pherson, which every one who reads the papers will see stands on very peculiar and exceptional grounds. And I may say that, apart from the question of law and justice, as a matter of national interest concerning our relations with Spain, I rejoice that we did obtain their release; for if they had been longer detained, or if their harsh treatment had been continued, such a state of feeling would have been produced in this country as must have rendered it very difficult for the House or the public to look at the matter calmly, and so the chance of an amicable settlement would have been very much diminished. The late Solicitor General has raised the question of indemnity to the crew. I understood him to say that, in his opinion, they were entitled to that indemnity. Any one who looks at the Papers will see that we did not make an unconditional demand of indemnity on the part of the men. What we said was that in demanding their release we did not thereby waive any claim they might have to be indemnified for their detention and the loss they had sustained. I am not willing to state off hand what claim they have; but, as at present advised, I should conceive their claim to indemnity would turn on the ultimate decision as to the character of the vessel. If the vessel is Chilian they are prisoners of war, and though the House and the Government may regret what has happened to these men, who were probably ignorant of the character of the vessel, it is not easy to see what claim can in that case be put forward on their behalf. I hardly venture on the legal argument raised between the Attorney General and the hon. and learned Member for Richmond. We acted on the legal advice we received. The question resolves itself into a very narrow compass—Was the form of trial against which we protested as being unjust, and contrary to the general principles of law, merely informal or did it involve substantial injustice? If it were merely informal, no doubt we were wrong. Every nation has a right to conduct its own Courts in its own way. But we contend that there was more than an informality—that substantial injustice was involved. We say that to decide against a party first and give him an appeal afterwards is not the same thing as to give him a fair hearing in the first instance. We say that the opportunity of a fair hearing and defence is inseparable from the very idea of Courts of Law, and from the general principles of justice which all nations are bound to observe. Of course in saying that I do not at all mean to bear harshly on the Spanish Government for what may be considered the faults of their procedure. We are bound to look at home; and we may remember the time has not long gone by when a person on trial for his life was not allowed counsel for his defence. We may further remember that the Spanish Government has itself had very little experience in trials of this kind. I do not know whether I am correct; but, if I am rightly informed, this is only the second or third case of the kind which has taken place in their Courts for half a century, and therefore considerable allowance ought to be made for mere informalities in those proceedings. But that does not affect the proposition for which we contend—to a fair hearing they were entitled, and that fair hearing we claimed for them. The late Solicitor General says you ought either not to make a claim, or, having made it, you ought to have persisted in it and demanded the restitution of the ship. That he says, is the logical consequence. Now, with submission, I contend there is a difference between being entitled to put forward a claim, and being bound to put it forward. It is a question open to argument whether, after the objections we have made to these proceedings as being null and void, we may have been justified in founding upon that the further claim for a discontinuance of all further proceedings and the restitution of the vessel; but that would be pushing our right—if it were a right—to an extreme. In a case of this kind we were bound to use our discretion, and it does not follow that because International Law would justify so extreme a course, we were bound to follow it irrespective of what we might consider the substantial justice of the case. Substantial justice was, in our opinion, sufficiently met by giving the parties a new trial upon the whole case. The present state of the matter appears to be this:—The Spanish Government admit the nullity of the proceedings, not on the ground on which we objected, but on that of having sent the matter to the wrong tribunal, and other irregularities. The question is now before the Council of State, and, if I am not misinformed, an almost immediate decision may be expected. When that decision has been given, we may be able to see our way more clearly. We shall press if necessary, for all reasonable speed; we shall continue carefully and anxiously to watch the case. It is for the owners to defend themselves before the proper tribunals, and, beyond watching the case and protesting against such an amount of delay as may have the effect of defeating the ends of justice, I do not see, as at present advised, and in the present position of affairs, that it is our duty to interfere. At the same time I am not prepared to say what we may do under the pressure of a state of things which has not occurred.

MR. WHALLEY thought the argument of the noble Lord unanswerable and conclusive; but the result of the whole would be that the mercantile community would materially suffer.

Motion, by leave, *withdrawn.*

Committee *deferred* till *To-morrow.*

FOREIGN DECORATIONS.—QUESTION.

MR. LABOUCHERE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether Lord Clarendon's regulations issued by direction of Her Majesty, which forbid British subjects to accept a Foreign Order "without previously having obtained Her Majesty's permission to that effect, signed by a Warrant under Her Royal Sign Manual," and which lay down as an absolute rule that—

> "Such permission shall not be granted to any subject of Her Majesty unless the Foreign Order shall have been conferred in consequence of active and distinguished service before an enemy, either at sea or in the field, or unless he shall have been actively or entirely employed beyond Her Majesty's Dominions, in the service of the Sovereign by whom the Order is conferred,"

had been revoked; and if they have not been revoked, why gentlemen whose services are limited to carying, at the public cost, an English Order to a Continental Sovereign, are allowed to accept and wear a Foreign Decoration?

Lord STANLEY said, that the regulations from which the hon. Member had quoted, issued by Lord Clarendon by direction of Her Majesty, had not been revoked; but he found it on record in the Office that during the administration of Lord Clarendon, and as was stated, at the desire of Her Majesty, those rules were generally and prospectively dispensed with in the case of that very limited class of persons who were referred to in the hon. Member's Question. He (Lord Stanley) was not at that time one of Her Majesty's Advisers, and he therefore had only to state the fact. Of course he need not say that it was entirely within Her Majesty's power to dispense with the observance of any rule of this kind in any such case as she might think fit. With regard to the limitation of the acceptance to the Heads of Missions, that, as he understood, was always contemplated.

THE ADMIRALTY COURT.—QUESTION.

Mr. BOUVERIE asked, What arrangement is proposed to be made respecting the Judgeship and business in the Admiralty Court?

The CHANCELLOR of the EXCHEQUER said, he believed that it was not intended to hand over the business of the Admiralty Court to the Judge of the Court of Probate. An offer of the Judgeship had been made to an eminent individual, but he believed that no answer had as yet been received.

Mr. BOUVERIE wished to know whether the offer was accompanied by a condition that in case any alteration was made by Parliament no claim for compensation could be entertained?

The CHANCELLOR of the EXCHEQUER: No doubt the offer has been made with requisite discretion.

THE DANUBIAN PRINCIPALITIES—PERSECUTION OF JEWS.—QUESTION.

Mr. Alderman SALOMONS said, he would beg to ask the Secretary of State for Foreign Affairs, If Her Majesty's Government has received official information of further attacks on the Jews in the Principalities; and especially, whether the reports of recent acts of violence, such as throwing them into the Danube, and other atrocities, are true; and, whether Her Majesty's Government will still continue their generous efforts to induce the Roumanian Government to prevent such outrages?

Lord STANLEY said, the only information which he had relative to outrages committed upon the Jewish community in Moldavia of a later date than that which he had already laid upon the table of the House was contained in a telegram from Mr. Greene, at Bucharest, dated the 15th, and the effect of that telegram was that in the course of the expulsion of these unfortunate people across the Danube—it was not stated by whom they were expelled—ten were thrown overboard, two of whom were drowned. Mr. Greene would have set out to remonstrate with the Prince against these acts of barbarity, but for the circumstance that the Prince himself was expected to return to Bucharest within a few days. He (Lord Stanley) expected, therefore, that he would have more information in the course of a few days on the subject. With regard to the second Question, it was almost a matter of course. Her Majesty's Government would exercise all the influence which it possessed to put an end to these discreditable transactions.

IRELAND—HABEAS CORPUS SUSPENSION ACT.—QUESTION.

Mr. BLAKE said, he would beg to ask the Chief Secretary for Ireland, If there be any truth in the report very current in Dublin that some of the untried prisoners detained in Mountjoy Prison under the Habeas Corpus Suspension Act have been removed to the District Lunatic Asylums?

Lord NAAS said, it was quite true that two prisoners who were imprisoned in Mountjoy Prison, under the Lord Lieutenant's warrant, had been removed to the Richmond Lunatic Asylum. He had made very careful inquiry into both cases, and found in the case of one of them, that there was no doubt he was suffering under delusions, and in the case of the other, there was every reason to believe he had been feigning madness. In such cases it was the practice to hand the prisoners over to the custody of their friends; but in these two instances the men had been removed to the lunatic asylums because they had no friends capable of taking care of them.

CASE OF THE "ARKADI." QUESTION.

Mr. LAYARD said he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received the Opinion of the Law Officers of the Crown with regard to the proceedings of the *Arkadi*, a Greek blockade runner which fired into a Turkish cruizer, and which carries on its operations as an armed vessel of war; and whether he has any objection to state that opinion; and, whether it be true that two other blockade runners, similarly armed and constructed in this country, are now employed in conveying men, arms, munitions of war, and provisions, between the ports of Greece and Crete under the protection of the Greek Government?

LORD STANLEY said, that as it generally happened in cases of this kind, and as was especially the case in the contest now going on between Turkey and Crete, there were two versions of what occurred in regard to the *Arkadi* which did not at all agree; but, putting those two versions together, and taking the report of one of our Consuls, who was in a position to obtain information, he (Lord Stanley) believed that what had happened, though he could not absolutely vouch for it, was something of this kind. The blockade runner, the *Arkadi*, on returning from one of her trips, was chased by a Turkish cruizer. She fired upon that Turkish cruizer, and in so doing she undoubtedly committed a violation of International Law. Then the story went on to say—and it seemed not unlikely—that in the ardour of the pursuit the Turkish cruizer, not perhaps knowingly, followed the *Arkadi* into Greek waters, where, of course, she had no right to continue the pursuit. He would not undertake to vouch for the absolute accuracy of this statement; but if it were correct a violation of International Law had been committed on both sides. With regard to the Opinion of the Law Officers of the Crown, he did not think he ought to produce it; but he might inform the hon. Gentleman that it was not the intention of Her Majesty's Government to take any action upon the matter. With regard to the latter part of the Question, as to there being two other blockade runners similarly armed and employed, he was not able to say whether that was the case. He had heard of the arrival at the Piræus of two other vessels, one called the *Owl* and the other the *Hornet*, and he believed those vessels were intended for similar service, but he was not aware of any acts having been done by them which would have justified their detention while in this country, or any interference with them as matters at present stood.

MR. LAYARD would like to know whether blockade runners so armed and firing would not be committing an act of piracy, and whether the blockading vessels were not entitled to follow a piratical ship into any waters?

LORD STANLEY said he was not prepared to answer that question off-hand; he was inclined to think a ship's captain was not justified in acting as the hon. Member had described.

PURCHASES AT THE PARIS EXHIBITION.—QUESTION.

MR. LAYARD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he is prepared to act upon the Report of the Committee appointed to inquire into the advisability of making purchases at the Paris Exhibition for the Museum of South Kensington and other Museums in connection with the Department of Science and Art?

THE CHANCELLOR OF THE EXCHEQUER said, that Her Majesty's Government were not opposed to the principle involved in the recommendation of the Committee to which the hon. Gentleman referred. The Report of that Committee had only just been placed in their hands, and he had not been able to give that sufficient consideration to the circumstances and conditions connected with the purchases which might be required.

NAVAL SQUADRON (WEST COAST OF AFRICA).—RESOLUTION.

SIR HERVEY BRUCE rose to move that the maintenance of the Naval Squadron on the West Coast of Africa, as it has hitherto been placed, is no longer expedient. He used the words "as it has hitherto been placed," because he hoped some alteration would be made in the arrangements respecting the squadron, so as to lessen the sacrifice at present going on. The continuance of the squadron might be supported on two sentimental grounds—one, the knightly chivalry of England, the other the claims of humanity. But when English prisoners were confined in Abyssinian dungeons, notwithstanding our remonstrances, and when Denmark had been robbed in defiance of England's guarantee, without our interference, all must admit that the days of our acting on grounds of knightly chivalry had passed. If, then, in these cases we had not been prompted to draw the sword, why should we be induced to do so by the sentimental idea that we should be thereby conferring benefit on the African races? But he contended beyond this that the good results pleaded for were completely visionary, and that the squadron could not be maintained even on grounds of humanity, for the Returns showed that numbers on numbers of slaves were drowned in consequence of the efforts made to rescue them. The Spanish Chambers agreed that our method of suppression was not the right one, and he could quote opinions of competent Englishmen to the same effect. In 1865 the present Under Secretary of State for the Colonies quoted the opinion of Commodore Wilmot, to the effect that the results obtained by the squadron were not worth the cost. In the same year the present Secretary for Foreign Affairs said—

> "I do not wish to conceal my opinion that if the people of this country knew what has been and what is the waste, I do not say of money merely, but of what is much more importance—valuable lives—on that coast, that African squadron would very shortly be numbered with the things of the past."—[3 *Hansard*, clxxvii. 550.]

He could quote many other opinions upon the subject, none of which expressed satisfaction with the squadron as it at present existed. The Committee which had inquired into the subject reported that it was not proper immediately to withdraw the fleet; it did not speak with respect to its value. Many points of interest were touched on by the witnesses who gave evidence before it. Sir Frederick Grey showed that no ships besides ours were to be found there, so that international obligations did not require us to keep the squadron up. The same witness affirmed that if the Spanish Government was in earnest about suppressing the importation of slaves in Cuba there would be an end of the slave trade, and that the squadron was no protection to our own legitimate trade on the coast. Captain Wiseman stated that wherever British ships were found to fall back upon, there British subjects would get into trouble. Captain Wiseman said that it was difficult to keep up the discipline of the crews, and that their health was extremely bad. He also expressed an opinion that the same ship should not be more than two years on that station. Yet, in the face of that opinion, the same vessels were continued on the station for three, four, five, five, and even six years. Captain Wiseman expressed an opinion that as long as the demand for slaves existed in Cuba the trade would be kept up. Commodore Hornby stated that he heard at the Congo that the slave trade was temporarily suspended in consequence of the difficulty of landing the slaves in Cuba. With regard to the expense, he (Sir Hervey Bruce) believed he should understate the expense of keeping up the slave squadron at £1,000,000 a year. If, however, it were only £500,000 it would be too much, because, in addition to the expenditure, it involved a drain upon the best blood of the country. Out of 15,000 persons engaged in putting down the traffic from 1855 to 1865 not less than 1,157 were dead or had been invalided during those fifteen years. There was an item for prize money, but he believed this did not arise from the sale of the prizes, but was money coming from the English Exchequer. He held in his hand a short list of the ships engaged in the blockade. The *Espoir* went out in November, 1864, and was still there. The *Torch* went out in March, 1865. The *Investigator* went out in February, 1862, and every one knew the number of deaths in that ill-fated ship on that pestilential coast. The *Snipe* went out in September, 1863, and only returned two days ago, having been out four years. The *Ranger* went out in 1864, and had been upwards of three years on the coast. He wished to know whether, if the Admiralty could not find new ships to send out, it would not be possible to change the men and officers. It would be a great relief also if the vessels were allowed to run down the coast now and then. It would be beneficial to the health of the crews, and the Native chiefs were much more afraid of a cruiser so employed than of stationary vessels, which might be evaded during darkness or fog. An interesting debate took place in the Spanish Chambers last year on the subject of the slave trade. A feeling appeared to prevail that it was degrading to have this blot on the character of the country; but the debate could not be read by Englishmen without seeing what dupes they had been in wasting their blood and treasure in adopting such useless means of putting down the traffic. It also appeared from this debate that the abolition of slavery in the United States had changed the whole face of the question in Cuba. He thought he had quoted enough to show that the opinion of the Spanish Assembly was that the slave trade could only be put down by taking care that slaves should not be admitted into Cuba, for where a demand existed for slaves there the demand would be supplied, and no increase of the squadron on the coast of Africa, and no expenditure of money, would prevent the admission of slaves into Cuba.

ADMIRAL WALCOTT seconded the Motion. He said that no man in the world had a greater detestation of the horrible traffic in slaves than himself, which he had imbibed in the earliest years of his life when a young midshipman—the ship in in which he then was being stationed in the West Indies; and he expressed his regret for the many able officers and seamen who had been sacrificed in the service of the squadron on the West Coast of Africa. At the early time of which he spoke the slaves were brought from Africa for the supply of the several British West India Islands in ships belonging to owners both from Bristol and Liverpool, and were properly taken care of in regard to cleanliness and health, the ships being constructed of a heighth between decks to avoid mutilation of their limbs, and, when landed, were in a condition to secure a ready purchase at a high price; and, though he was very far from giving any credit to the men who accumulated fortunes from so deplorable a traffic, still he was bound to say that much. He was afterwards again employed on the West India Station, then in command of the *Tyne* frigate; this was in the years 1821-2-3, the traffic in slaves being then abolished in the islands, and it carried comfort to his heart to see their condition to what it had been when formerly on that station. No longer were parents sold from their offspring, when of higher value, from estate to estate; greater humanity and morality and religion were observed and instilled. Subsequently, Mr. Wilberforce, to his honour be it spoken, by persevering efforts in this House, succeeded in obtaining the emancipation of slaves in all the British Colonies at an expense to this country of £20,000,000 for compensation to their owners. He had known, from time to time, many officers in the service of the squadron on the coast of Africa, and, however reluctant they might be to be employed on that service, yet officers in the navy felt that the discharge of their duty was paramount to every other consideration, and in the performance of this duty they were always ready to sacrifice their lives. After being three or four years on the Coast of Africa employed for the suppression of slavery carried on by Brazilian and Spanish vessels, fast in speed, of contracted tonnage, and low heighth between decks, the slaves, both men, women, and children, were huddled together without regard either to sex or decency of any kind common to nature's exigencies, and on arrival at the isle of Cuba were frequently so mutilated from absence of standing room, absence of air and cleanliness befitting their condition as scarcely to be saleable; but he often had heard the observation that if one slave out of three realized a remunerative price, the risk incurred and the loss sustained by the sale of the remainder was covered. These naval officers, employed for its suppression, returned to England, if happily they survived, in very many instances so broken in health, that small is the hope that they again shall be in a condition to reach any higher rank in their profession. He often had pressed in this House upon the Admiralty the necessity of shortening the usual period of service on the coast of Africa. He corroborated much that had been said by the hon. Member who preceded him, and he, if possibly it could be avoided, considered two years too long; he considered eighteen months quite long enough; and he hoped this debate would not terminate, as he firmly believed it would not, without an intimation from the First Lord of the Admiralty, or some other Member of the Board, that their determination was to limit the term of service on the Coast of Africa to eighteen months.

Motion made, and Question proposed, "That the maintenance of the Naval Squadron on the West Coast of Africa, as it has hitherto been placed, is no longer expedient."—(*Sir Hervey Bruce.*)

MR. LABOUCHERE said, there were two questions before the House — first, whether ships should remain so long on the Coast of Africa, and, secondly, whether the squadron itself should be done away with? With respect to the first, the majority of the House was agreed that three years were too long to be on that station, and, therefore, he hoped the Government would agree to that portion of the Resolution. As regarded doing away with the squadron altogether, it was to be hoped that would not take place till the Spaniards and Cubans carried out the good intentions of which so much had been heard. He had been several times in Cuba, and knew something of the present slave system there. If the Cuban slaveholders gave up slavery they would lose a great deal of money. They had very great difficulty in obtaining free labour, and they could hardly be expected to do away with slave labour on which depended the whole system of cultivating their plantations. If the squadron were withdrawn anybody who did not care about how he made his money would immediately run a cargo of slaves for Cuba, and nothing would be easier than to dispose of them. There was a great difference between slavery in Cuba and in the Southern States of America. In Cuba there were hardly any women slaves, so that there was no increase. In ten or twelve years it was calculated the state of things must cease. It was therefore of great importance that in the meantime the squadron should be maintained.

Mr. KINNAIRD said, he had listened with great interest to the speech of his hon. Friend who introduced the subject. He deeply lamented the sufferings of the officers and men belonging to the squadron, whose loss amounted to 10 per cent on the navy, the mortality in India being much less, or 8½ per cent. He hoped the result of the debate would be to induce the Admiralty to lessen the term of service on the coast, and that the mortality would be diminished. It would be the height of folly and weakness, now that success in putting down the slave trade had almost been achieved, to withdraw the squadron. Spain had violated every treaty on the subject, and if we relaxed our exertions, the effect would be to re-open the slave trade with ten times greater vigour than ever. The Government, he hoped, would also persevere in that policy, to the success of which the late Lord Palmerston had devoted a long life, and the fruits of which they might soon enjoy.

Sir T. F. BUXTON said, he thought the speech of the hon. Member pointed to the relaxation or the abandonment of the squadron. The misery of being kept upon that blockade was most severe; but he thought that it might be greatly lessened by proper care on the part of the Admiralty. If the Motion of the hon. Member only went to the extent of suggesting that a few small swift steamers would do the work better than the nineteen large vessels with their great force of men which were now kept upon that station, he should agree that it was most advisable that such an arrangement, which would prevent the loss of many lives and of much money, should be adopted; but if the intention of the hon. Member was to urge upon the House the advisability of giving up our endeavours to suppress the slave trade, he should certainly offer his strenuous opposition to it. There was this peculiarity about the slave trade — that if the trade was kept under for two or three years it would entirely die out, in consequence of the Native chiefs and the half-castes, by whom it was chiefly conducted, being forced to adopt more legitimate trades. It appeared from a Return which had been presented to that House, that during the past year only two ships, having on board three negroes were captured, which was an evidence of the success we had met with in putting down this trade. If the Motion of the hon. Member merely went to the extent of impressing upon the Admiralty the necessity of making some alteration in the condition of the squadron on this station, he should give it his most hearty support.

Sir JOHN HAY, in the absence of the First Lord of the Admiralty, concurred with an hon. Member who had spoken, (Mr. Kinnaird) that it was undesirable that we should take a lesson in suppressing the slave trade from the Spaniards or the Governors of Cuba. He was glad to be able to inform the House that the sufferings of the squadron on the West Coast of Africa were not so severe as had been represented. It was true that certain ships had been a long time on the coast, because they were suitable for the service; but their crews had been relieved at the usual time. Even the *Ranger* was now on the point of being relieved. He admitted that her period of service was too long, and the Admiralty had taken steps to ensure the relief of cruizers for the future after two years' service. The reason why the service had been more arduous during 1866 than in previous years, was because the class of ships for the service did not at present exist, and therefore it had been necessary to reduce the number of cruizers and slightly increase the length of service till ships were got ready for reliefs. At present there were seventeen vessels on the West Coast. The *Bristol* flag ship, two stationary store ships, one steam store ship, two vessels at Lagos—the *Investigator* and *Hardy*—of which the crew of the first had been relieved, and the *Hardy* had been sold to the Government of Lagos —four cruizers on the Bights division of the coast, and five on the Southern division. The slave trade in the Bights of

Biafra and Benin had been so far suppressed that the commodore thought it unnecessary to maintain any cruizers on that division, and had turned his whole attention to the Southern division, where there was some likelihood the trade would be carried on. Ten vessels were now cruizing, as against twenty-four previous to the Russian War, when the French contingent made the number up to fifty sailing ships. It was true that those ten vessels were steamers; that in some degree diminished the disproportion of the present force; but the Admiralty had sent out a much larger vessel than was necessary, on account of the dearth of gunboats, and the *Speedwell* and the *Lee* were now commissioned, and were on the point of going out to the coast to relieve three ships which had now been over two years on the station. It was the intention of the Admiralty, as soon as ships could be launched and got ready, to reinforce the West Coast squadron up to the proper amount of fourteen, and reduce the period of service under two years. The sudden amount of sickness in the squadron in 1865 was due to disease breaking out on board the larger ships of the squadron, and not on the gunboats, which had remained as healthy as usual. Orders had, however, been given to break up the *Isis*, a vessel which had been used for some years as receiving ship at Sierra Leone, and which had become regularly impregnated with the yellow fever, and it was to be hoped that such precautions would render the recurrence of these periodical attacks of sickness less and less severe. The commodore, too, attributed the sickness to some extent to the want of excitement on the coast. In spite of this, however, the activity which had been displayed by the commodore and officers on the station had led almost to the entire suppression of the slave trade; but still it was a mistake to suppose that the suppression of the slave trade was the only duty that the squadron had to perform. It was necessary that we should have some ships—four at least—in order to protect the legitimate commerce on the coast, which year by year was increasing in magnitude and importance. He trusted that the necessity for the employment of those ships in any other way would before long disappear, because there could be no doubt that the service was one demoralizing alike to officers and men, and when it at length became suppressed, he trusted that it would be recorded that its suppression was due, not only to the persistence of this country, but also in a great measure to the exertions of Her Majesty's Navy.

MR. CHILDERS said, while he concurred in much that had fallen from his hon. and gallant Friend, he could not reconcile all his statements. If the officers and men on the coast were dying of *ennui* already, and four vessels were all that were required for the protection of our commerce, he could not understand why it was desirable to employ fourteen vessels on the service, although no one could reasonably object to an increase in the squadron, if that increase was due to the necessity of affording additional protection to our commerce or giving more relief to those of our countrymen engaged in service on the station.

MR. HADFIELD said, he approved the expenditure made on this service, and believed that in Cuba the authorities would ultimately be forced to follow the example of the United States, as it was impossible Spain could long endure the shame and disgrace of being the only country in the world to tolerate this abominable traffic.

SIR J. CLARKE JERVOISE thought the remarks made with respect to yellow fever deserved the most earnest consideration of the Government.

MR. ALDERMAN LUSK thought that they ought to begin to think of reducing the forces they kept up in unhealthy places. He hoped that the Government would begin to take into consideration the question of the propriety of maintaining so large a staff on the African coast.

SIR HERVEY BRUCE thought the answer which had been given to him on the part of the Government sufficiently justified him in having brought the matter forward.

Motion, by leave, *withdrawn*.

CAPTAIN VIVIAN was about to call attention to the services of the Troops in New Zealand, when—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

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TO

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VOLUME CLXXXVIII.

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When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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(*Mr. Monk, Sir Michael Hicks-Beach*)
c. Moved, "That the Bill be now read 2°" (*Mr. Monk*) *July* 3, 926
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Beresford Hope*); Question, "That 'now,' &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 2° [Bill 141]
Committee *; Report *July* 9
Read 3° * *July* 10
l. Read 1ª * (*Lord Houghton*) *July* 11 (No. 216)

BARNETT, Mr. H., *Woodstock*
Representation of the People, Comm. *add. cl.* 1198

Barrack Lane, Windsor (Right of Way) Bill (*Sir J. Pakington, Sir J. Fergusson*)
c. Ordered; read 1^{o} * *July* 4 [Bill 229]
Read 2^{o} * *July* 8
Committee *; Report *July* 11
Read 3^{o} * *July* 12
l. Read 1^{a} * (*The Earl of Longford*) *July* 15
Read 2^{a} * *July* 18 (No. 226)

Barron, Sir H. W., *Waterford City*
Supply—Houses of Parliament, 1700

Barrow, Mr. W. H., *Nottinghamshire, S.*
Representation of the People, Comm. *cl.* 33, 290; *cl.* A, 629; *add. cl.* 1267; Consid. *add. cl.* 1450; 3R. 1574
Vaccination, 3R. 651

Barry, Mr. Serjeant C. R., *Dungarvan*
Land Tenure (Ireland), 2R. 577

Bass, Mr. M. T., *Derby*
Representation of the People, Comm. *cl.* 40, 455, 465; *cl.* 31, 536; *add. cl.* 1198; Schedule D, 1289
Storm Warnings, Res. 1732

Bath, Marquess of
Transubstantiation, &c. Declaration Abolition, Comm. 1384

Baxter, Mr. W. E., *Montrose, &c.*
Postal Service, Private, 1391
Representation of the People, Comm. *cl.* 36, 296; *cl.* 40, 455; *add. cl.* 784, 800, 999, 1210
Representation of the People (Scotland), 1067
Scotland—Secretary of State for, 166;—Education, 338
United States—The "Alabama" Claims, 769

Bazley, Mr. T., *Manchester*
Education of the Poor, 2R. 1365
Representation of the People, Comm. *add. cl.* 842
Storm Warnings, Res. 1740

Beach, Sir M. E. Hicks-, *Gloucestershire, E.*
Fulford and Wellstead, Case of, Motion for an Address, 1158
Tests Abolition (Oxford and Cambridge), 3R. 83; Amendt. 1655

Beach, Mr. W. W. B., *Hampshire, N.*
Representation of the People, Comm. *add. cl.* 1078; Consid. *cl.* 46, 1471

Beauchamp, Earl
Local Government Supplemental (No. 5), Comm. 1619
Representation of the People, 2R. 1846

Beaumont, Mr. H. F., *Yorkshire, W. R.—S.*
Representation of the People, Comm. *add. cl.* 1005; Amendt. 1209, 1237; Schedule B, Amendt. 1284

Beecroft, Mr. G. S., *Leeds*
Representation of the People, Comm. *add. cl.* 830

Belmore, Earl of (Under Secretary of State for the Home Department)
Chatham and Sheerness Stipendiary Magistrate, 2R. 2
Ireland—Police Barracks, 505;—Inland Fisheries, Address for Returns, 1428
Local Government Supplemental (No. 5), Comm. 1619

Bentinck, Mr. G. Cavendish, *Whitehaven*
Metropolis—New Law Courts, 507, 606
Supply—Houses of Parliament, 1696, 1703
Uniformity Act Amendment, Comm. 962

Berkeley, Hon. F. H. F., *Bristol*
Representation of the People, Comm. *cl.* 29, 199; *add. cl.* 841, 872; Amendt. 883; Consid. *add. cl.* 1439

Bessborough, Earl of
Ireland—Police Barracks, 503, 505

Biddulph, Colonel R. M., *Denbighshire*
Street Outrages—The Militia, 87

Biddulph, Mr. M., *Herefordshire*
India—Indian Securities, 171
Representation of the People, Comm. *add. cl.* 1208

Birmingham Riots
Addresses of Mr. Murphy, Question, Mr. Monsell; Answer, Mr. Gathorne Hardy *June* 18, 17; Question, Mr. Monsell; Answer, Mr. Gathorne Hardy *June* 19, 88; Question, Mr. Whalley; Answer, Mr. Gathorne Hardy *July* 3, 925; Question, Mr. Whalley; Answer, Mr. Gathorne Hardy *July* 9, 1262; Observations, Mr. Whalley *July* 19, 1764
The Volunteers, Questions, Mr. Horsman, Mr. Whalley; Answers, Sir John Pakington, Mr. Gathorne Hardy *June* 20, 173; Question, Mr. Horsman; Answer, Sir John Pakington *June* 24, 428

Blackwater Bridge Bill
(*Mr. Dodson, Lord Naas, Mr. Hunt*)
c. Read 2^{o} * *June* 19 [Bill 156]
Committee *; Report *June* 24
Read 3^{o} * *June* 25
l. Read 1^{a} * (*The Earl of Devon*) *June* 25
Read 2^{a} * *July* 4 (No. 178)
Committee *; Report *July* 9
Read 3^{a} * *July* 11
Royal Assent *July* 15 [30 & 31 *Vict.* c. 57]

Blake, Mr. J. A., *Waterford City*
Ireland—Habeas Corpus Suspension Act, 2072
Supply—Board of Fisheries (Scotland), 1904

Bonham-Carter, Mr. J., *Winchester*
Representation of the People, Comm. *cl.* 36, 295; *add. cl.* Amendt. 811

Bouverie, Rt. Hon. E. P., *Kilmarnock, &c.*
  Admiralty, Court of, 2071
  Naval Review, The, 1627
  Queen Anne's Bounty Office, 1623
  Representation of the People, Comm. *cl.* 31, 528; *add. cl.* 1004, 1197, 1203; Schedule B, 1284; Consid. *add. cl.* 1452, 1454; *cl.* 29, 1461
  Trades Union Commission Act Extension, Comm. 1404
  Uniformity Act Amendment, Comm. *add. cl.* 963

Bowyer, Sir G., *Dundalk*
  Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487
  Representation of the People, Comm. *cl.* 15, 34, 37

Brady, Mr. J., *Leitrim Co.*
  County Courts Acts Amendment, Comm. *cl.* 29, 1914
  District Lunatic Asylums Officers (Ireland), 1914
  Land Tenure (Ireland), 2R. Motion for Adjournment, 584
  Prison Ministers Act, 1768
  Representation of the People, Comm. *cl.* A, 618; *add. cl.* 1021, 1026, 1032
  Supply—Agricultural Statistics, 1906
  Vaccination, 3R. 651

Brett, Mr. W. B., *Helston*
  Army—Captain Jervis and the Simla Court Martial, 606, 607
  Representation of the People, Comm. *cl.* 36, 294
  "Tornado," Case of the, 2063

Bridges (Ireland) Bill
(*Mr. Solicitor General for Ireland, Lord Naas*)
c. Read 3° * *June* 18 [Bill 195]
l. Read 1ª * (*The Earl of Belmore*) *June* 20
  Read 2ª * *June* 25 (No. 164)
  Committee *; Report *June* 27
  Read 3ª * *June* 28
  Royal Assent *July* 15 [30 & 31 *Vict.* c. 50]

Bright, Mr. J., *Birmingham*
  Parliament—Members' Seats in the House, 164;—Public Business, 777
  Representation of the People, Comm. *cl.* 15, 24, 27; *cl.* 29, 179, 180, 200, 225; *cl.* 31, 271, 273, 281, 285, 287, 288, 611; *cl.* 36, 292; *cl.* 40, 437, 459, 461, 473; *cl.* 43, 518; *add. cl.* 694, 702, 788, 826, 864, 885, 886, 890, 993, 1090, 1114; 3R. 1550
  Sunday Lectures, 2R. 105
  Tests Abolition (Oxford and Cambridge), 3R. 85

British White Herring Fishery Bill
(*The Duke of Richmond*)
c. Committee *; Report *June* 20 [Bill 173]
  Considered * *June* 21
  Read 3° * *June* 24
  Royal Assent *July* 15 [30 & 31 *Vict.* c. 52]

Broadmoor Criminal Lunatic Asylum
  Question, Mr. Floyer; Answer, Mr. Gathorne Hardy *July* 8, 1186

Browne, Lord J. T., *Mayo Co.*
  Representation of the People, Comm. *add. cl.* 674; Amendt. 676

Brown's Charity Bill
(*The Lord President*) (No. 143)
l. Moved, "That the Bill be now read 2ª" (*The Lord President*) *June* 25, 496
  Amendt. to leave out ("now") and insert ("this Day Six Months") (*The Earl of Rosse*); after short debate, on Question, That ("now,") &c.; Cont. 16, Not-Cont. 48; M. 32; List of Cont. and Not-Cont. 503; resolved in the negative; Bill to be read 2ª on this Day Six Months

Bruce, Rt. Hon. H. A., *Merthyr Tydvil*
  Education of the Poor, 2R. 1317, 1346, 1348
  Ireland—Trinity College, Dublin, Res. Motion for Adjournment, 77
  Parliament—Business of the House, 1521
  Scotland—Education, 348
  Vaccination, 3R. 650

Bruce, Sir H. H., *Coleraine*
  Africa—West Coast—Naval Squadron, Res, 2074, 2082
  Land Tenure (Ireland), 2R. Amendt. 564

Bruen, Mr. H., *Carlow Co.*
  Ireland—Taxation, Res. 1314

Buckingham, Duke of (Secretary of State for the Colonies)
  Adjutants of Volunteers, 3R. Amendt. 1387
  Ireland—Inland Fisheries, Address for Returns 1430
  Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1718
  New Zealand—Withdrawal of Troops, Motion for a Return, 1505, 1507, 1508
  Railways (Guards' and Passengers' Communication), 2R. 1260, 1261
  Sale of Land by Auction, Commons Amendts. 4

Buller, Sir E. M., *Staffordshire, N.*
  Boundary Commissioners, 176, 266, 268
  Parliament—Morning Sittings, 665
  Representation of the People, Comm. *cl.* 19, 51; *cl.* 31, 534; *add. cl.* 669; Schedule D, Amendt. 1289

Bunhill Fields Burial Ground Bill
(*The Earl of Shaftesbury*)
l. Report of Lords' Committee * *June* 18
  Committee *; Report *June* 20 (No. 105)
  Read 3ª * *June* 21
  Royal Assent *July* 15 [30 & 31 *Vict.* c. 38]

Burrell, Sir P., *New Shoreham*
  Representation of the People, Comm. *add. cl.* 672

Butler, Mr. C. S., *Tower Hamlets*
Representation of the People, Consid. Schedule C, 1480

Butler-Johnstone, Mr. H. A., *Canterbury*
Representation of the People, Comm. *cl.* 15, 36

Buxton, Sir T. F., *King's Lynn*
Africa — West Coast—Naval Squadron, Res. 2079
Egypt—Slave Trade on the Nile, 980
Representation of the People, Comm. *add. cl.* 1013, 1109 ; Consid. Schedule C, 1480

Cairns, Lord
Brown's Charity, 2R. 499
Court of Appeal Chancery (Despatch of Business), 2R. 1434
Court of Chancery (Officers), 2R. 494
* Ireland—Established Church, Motion for an Address, 368, 386
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1719
Limerick Harbour (Composition of Debt), Comm. 1184
Parliament—Construction of the House, Motion for a Committee, 659
Railways (Guards' and Passengers' Communication), 2R. 1259
Representation of the People, 2R. 1982, 1988, 1995

Cambridge, Duke of (Field Marshal Commanding-in-Chief)
Army — Transport and Supply Department, 594 ;—March of Troops to Hounslow, 1493, 1495
New Zealand—Withdrawal of Troops, Motion for a Return, 1509

Campbell, Lord
Adjutants of Volunteers, 3R. 1385, 1387
Ireland — Inland Fisheries, Address for Returns, 1430, 1431

Camperdown, Earl of
Representation of the People, 2R. 1830

Candia—see *Turkey*

Candlish, Mr. J., *Sunderland*
Poor Law Board, Comm. 1418
Reformatory and Industrial Schools, 426
Representation of the People, Comm. *cl.* 43, 516, 520 ; *add. cl.* 674, 795, 796, 808, 1028, 1030, 1208 ; Preamble, 1290

Canterbury, Archbishop of
Christ Church (Oxford) Ordinances, 2R. 1425, 1427
Convocation and the Commission on Ritualism, 1171, 1175, 1181
Increase of the Episcopate, 3R. 258
Ritualism—The Royal Commission, 125, 244, 586, 1171, 1181

Cape of Good Hope—Withdrawal of Troops
Petition presented (*The Duke of Manchester*) *June* 18, 5 ; after short debate, Petition to lie on the Table

Cardigan, Earl of
Army—March of Troops to Hounslow, 1495
Volunteers—Employment of, in Civil Disturbances, 759

Cardwell, Right Hon. E., *Oxford City*
Martial Law—Charge of the Lord Chief Justice, Res. 916
Representation of the People, Comm. *cl.* 15, 34, 36, 42, 44 ; *cl.* 25, 177 ; *cl.* 36, 294 ; *cl.* 40, 303 ; Amendt. 479, 481, 485 ; *add. cl.* 690 ; Consid. *cl.* 21, 1460 ; *cl.* 46, 1467
Storm Warnings, Res. 1739

Carington, Hon. C. R., *Wycombe* (*Chepping*)
Army—March of Troops to Hounslow, 1191

Carlisle, Bishop of
Convocation and the Commission on Ritualism, 1176, 1179
Offices and Oaths, Comm. *cl.* 4, Amendt. 1376

Carnarvon, Earl of
Cape of Good Hope—Withdrawal of Troops, 6
Christ Church (Oxford) Ordinances, 2R. 1426
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1720
New Zealand—Withdrawal of Troops, Motion for a Return, 1496, 1507
Parliament—Business of the House, Motion for Returns, 142 ; Motion for a Committee, Amendt. 263 ;—Construction of the House, Motion for a Committee, 653
Railways (Guards' and Passengers' Communication), 2R. 1258
Representation of the People, 2R. 1833, 1846, 1916, 1988, 2024

Carriers Act Amendment Bill
(*Mr. Bazley, Mr. Cornwall Legh, Mr. Wilbraham Egerton, Mr. William Edward Forster*)
c. Considered in Committee ; Resolution reported ; Bill ordered ; read 1° * *July* 9 [Bill 243]
Read 2° * *July* 12
Moved, "That Mr. Speaker do now leave the Chair" *July* 15, 1614
Amendt. to leave out from "That," and add "this House will, upon this day two months, resolve itself into the said Committee" (*Mr. Dillwyn*) ; after short debate, Question, "That the words, &c. ;" put, and negatived ; words added ; main Question, as amended, put, and agreed to ; Committee put off till this day two months

Cattle Plague
Question, Sir G. Stucley ; Answer, Lord Robert Montagu *June* 18, 16 ; Question, Viscount Enfield ; Answer, Lord Robert Montagu *July* 12, 1436

[*cont.*

Cattle Plague—cont.
Cattle, Importation of—Order in Council 28th May, 1867, Amendt. on Committee of Supply *June* 21, To leave out from "That," and add "the Order of the Privy Council of the 28th May, 1867, respecting the importation of Cattle is expedient" (*Mr. Ayrton*), 349; Question, "That the words, &c.;" after short debate, Amendt. withdrawn; Question, Sir George Stucley; Answer, Lord Robert Montagu *June* 28, 666
Cattle Trade, Question, Mr. Dodson; Answer, Lord Robert Montagu *July* 16, 1622
Compensation for Slaughtered Cattle, Question, Mr. Read; Answer, Mr. Hunt *July* 18, 1668

Cave, Rt. Hon. S. (Paymaster of the Forces and Vice President of the Board of Trade), *New Shoreham*
Carriers Act Amendment, Comm. 1614
Limited Liability, 171
Loss of Life at Sea, 170
Merchant Seamen in Beaumaris Gaol, 989
Railway Accident at Warrington, 1668
Railway Companies, 1626
Railways (Guards' and Passengers' Communication), Comm. 555; *cl.* 4, 557; *add. cl.* 559
Representation of the People, Comm. *cl.* 40, 452; *cl.* A, 622, 624; *add. cl.* 802, 897
Scotland — Granton and Burntisland Steam Ferries, 982
Storm Warnings, 426, 1188; Res. 1732
Supply—Superannuation, 1489;—Coolie Emigration, 1772;—Agricultural Statistics, 1907

Cavendish, Lord F. C., *Yorkshire, W.R.—N.*
Representation of the People, Comm. *add. cl.* 1003, 1232

Cavendish, Lord G. H., *Derbyshire, N.*
Poor Law Board, Comm. 1418

Cecil, Lord E. H. B. G., *Essex, S.*
Egypt—Viceroy of, Visit of the, 665, 853
Representation of the People, Comm. *add. cl.* 1205, 1207, 1208; Consid. *add. cl.* 1447; Schedule C, 1481; 3R. 1595
Weights and Measures, Inspection of, 774

Ceylon—Government of
Question, Mr. Watkin; Answer, Mr. Adderley; *July* 4, 988

Chambers, Mr. M., *Devonport*
Representation of the People, Comm. *cl.* 40, 453, 463; *cl.* 31, 530; *cl.* A, 625; *add. cl.* 673, 808, 1016, 1027
Supply—Embassy House, Constantinople, 1706

Chambers, Mr. T., *Marylebone*
India—Central India Prize Money, 983
Representation of the People, Comm. *add. cl.* 824
Sunday Lectures, 2R. 114
Vaccination, 3R. 651

Chancellor, The **Lord** (Lord **Chelmsford**)
Court of Appeal Chancery (Despatch of Business), 2R. 1432
Court of Chancery (Ireland), 2R. 662
Court of Chancery (Officers), 2R. 492, 495; Comm. *cl.* 1, Amendt. 764; *add. cl.* 765
Ireland — Established Church, Motion for an Address, 421
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1720, 1721
Prorogation of Parliament, 2R. 1660
Representation of the People, 2R. 1934
Salmon Fishery Act (Ireland), 261
Salmon Fishery (Ireland) Act Amendment, 2R. 763
Transubstantiation, &c. Declaration Abolition, Comm. 1381, 1384

Chancellor of the **Exchequer** (Right Hon. B. Disraeli), *Buckinghamshire*
Admiralty, Court of, 2071
Boundary Commissioners, 17, 176, 267, 268
Ecclesiastical Titles Act Repeal, 508
Fulford and Wellstead, Case of, Motion for an Address, 1161
Ireland—Representation of, Res. 717, 718
Naval Review, The, 1397, 1626
Paris Exhibition, Purchases at the, 2074
Parliament — Morning Sittings, 664, 665;—Public Business, 774, 779;—Alteration of Notices of Questions, 1067;—Business of the House, 1068, 1521, 1523, 1875, 1877;—Privilege—Signatures to a Petition, 1125
Postal Conventions, Foreign, 1186
Representation of the People—Registration Clauses, 18;—Statistics, 609, 666;—Area of the New Boroughs, 774;—Ratepaying Clause, 855;—Re-distribution of Seats, 1263
Representation of the People, Comm. *cl.* 15, 30; Amendt. 36, 42, 44, 48; *cl.* 19, Amendt. 51, 52, 53; *cl.* 23, Amendt. *ib.* 54; *cl.* 24, 177; *cl.* 29, 179, 220; *cl.* 31, 270, 281; Amendt. 522, 526, 528, 530, 531, 533, 534, 535, 536, 610, 612; *cl.* 33, 290; *cl.* 37, 301; *cl.* 40, Motion for Adjournment, 303; *cl.* 40, 430, 437, 448, 451, 454, 466, 485; *cl.* 42, Amendt. 486, 508; *cl.* 43, 521; *add. cl.* 612; *cl.* A, 616, 624, 645; *cl.* B, 647; *add. cl.* 681, 692, 696, 702, 703, 783, 791, 793, 807, 831, 843, 844, 868, 879, 885, 887, 890, 892; Motion for Adjournment, 990, 1006, 1017, 1022, 1029, 1033, 1036, 1109, 1197, 1199, 1200, 1201, 1202, 1203, 1204, 1208, 1210, 1211, 1212, 1221, 1228, 1243, 1272, 1273, 1274; Schedule A, 1280; Schedule B, 1281, 1282, 1283, 1284; Schedule C, 1286; Schedule D, 1285, 1289; Preamble, 1290; Consid. *add. cl.* 1447, 1451, 1452, 1453; *cl.* B, Amendt. 1454, 1457, 1458; *cl.* 21, 1460; *cl.* 27, 1461; *cl.* 42, 1462; Schedule F, 1475, 1476; Schedule B, 1479; Schedule C, 1480; Schedule D, 1481; 3R. 1599
Representation of the People (Ireland), 17
Representation of the People (Scotland), 1068, 1897
Supply—Royal Palaces, 1683, 1687
Telegraphic Communication, 1512
Tests Abolition (Oxford and Cambridge), 3R. 85
Volunteer Review, 1518

Charitable Donations and Bequests (Ireland Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Committee *; Report *June* 21 [Bill 49]
Considered * *June* 24
Read 3º * *June* 25
l. Read 1ª * (*The Earl of Belmore*) *June* 25
Moved, "That the Bill be now read 2ª" (*The Earl of Belmore*) *July* 5, 1062; after short debate, Bill read 2ª (No. 177)
Committee *; Report *July* 8
Read 3ª * *July* 9
Royal Assent *July* 15 [30 & 31 *Vict.* c. 54]

Chatham and Sheerness Stipendiary Magistrates Bill (*The Earl of Belmore*)
l. Moved, "That the Bill be now read 2ª" (*The Earl of Belmore*) *June* 18, 1; after short debate, Bill read 2ª (No. 142)
Committee * *June* 21
Report * *June* 24
Read 3ª * *June* 25 (No. 170)
c. Read 1º * *June* 27 [Bill 211]
Read 2º * *July* 4
Resolution in Committee * *July* 5; Report *July* 8
Committee *; Report *July* 8
Considered * *July* 11
Read 3º * *July* 12
Royal Assent *July* 25 [30 & 31 *Vict.* c. 63]

Chatterton, Right Hon. H. E. (Attorney General for Ireland), *Dublin University*
Court of Chancery (Officers), 2R. 1415
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250; *add. cl.* 1251; 3R. 1911
Land Tenure (Ireland), 2R. 578
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 960

Cheetham, Mr. J., *Salford*
Representation of the People, Comm. *add. cl.* 842, 884; Schedule B, Amendt. 1281; Consid. Schedule B, Amendt. 1479

Chelmsford, Lord (see also Chancellor, the Lord)

Childers, Mr. H. C. E., *Pontefract*
Africa—West Coast—Naval Squadron, Res. 2082
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250
Fulford and Wellstead, Case of, Motion for an Address, 1160, 1161
Middlesex Registry, Res. 80, 82
Representation of the People, Comm. *cl.* 15, 41; *cl.* 23, 54; *cl.* 31, 531; *cl.* A, Amendt. 621, 623; *add. cl.* 1203
Supply—Superannuation, 1488, 1489;—Nonconforming, &c. Ministers (Ireland), 1678;—Coolie Emigration, 1771, 1772;—Bounties on Slaves, 1773, 1898;—Mixed Commissions, Amendt. 1900;—Services in China, 1902;—Miscellaneous Expenses, 1908
Telegraphic Communication, 1512

Christ Church (Oxford) Ordinances Bill (*Sir Roundell Palmer, Mr. Chichester Fortescue, Mr. William Henry Gladstone*)
c. Committee *; Report *June* 18 [Bill 190]
Committee *; Report *June* 27
Read 3º * *June* 27
l. Read 1ª * (*The Archbishop of Canterbury*) *June* 28 (No. 190)
Moved, "That the Bill be now read 2ª" (*The Archbishop of Canterbury*) *July* 12, 1425; after debate, Bill read 2ª
Committee * *July* 18
Report * *July* 19
Read 3ª * *July* 22
Royal Assent *August* 12 [30 & 31 *Vict.* c. 76]

Church Discipline Act Amendment Bill (*Mr. Whalley, Mr. Kennard*)
c. Bill withdrawn * *June* 20 [Bill 124]

Church of England
Book of Common Prayer, Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to give Directions that Her Majesty's Printers and the Delegates of the University Press at Oxford and the Syndics of the University Press at Cambridge should return to this House: 1. A List of the Alterations from the Text of the sealed Books existing in the Books of Common Prayer as now issued; 2. The Dates of such Alterations; 3. The Authority under which they were severally made" (*The Bishop of Oxford*) *July* 12, 1431; after short debate, Motion withdrawn
The Royal Commission on Ritual, Motion for "an Address for Copy of the Commission of Inquiry into the difference of Practise in the Conduct of Public Worship in Churches of the United Church of England and Ireland" (*The Earl of Derby*) *June* 20, 121; Motion agreed to; Copy of Commission laid before the House
Question, Earl Granville; Answer, The Archbishop of York *June* 21, 243; Observations, The Archbishop of Canterbury *June* 27, 586
The Royal Commission on Ritual and Convocation, Questions, The Earl of Shaftesbury, Lord Taunton; Answer, The Archbishop of Canterbury; debate thereon *July* 8, 1168
(See *Established Church, Ireland*)

Church Rates Abolition Bill (*Mr. Hardcastle, Mr. Baines, Mr. Trevelyan*)
c. Committee *; Report *June* 25 [Bill 13]

Church Temporalities Orders (Ireland) Validation Bill (*Mr. Attorney General for Ireland, Lord Naas*)
c. Ordered; read 1º * *July* 19 [Bill 267]

Civil Servants' Half-Holyday
Question, Mr. O'Reilly; Answer, Mr. Hunt *July* 1, 773

Clancarty, Earl of
Ireland—Railways, 353;—Established Church, Motion for an Address, 396

Clanricarde, Marquess of
Adjutants of Volunteers, 3R. 1387
Court of Chancery (Ireland), 2R. 663
Galway Harbour (Composition of Debt), 2R. 965; Comm. 1256
Ireland—Established Church, Motion for an Address, 411;—Inland Fisheries, Address for Returns, 1427
Parliament—Business of the House, Motion for a Committee, 264;—Construction of the House, Motion for a Committee, 658
Representation of the People, 2R. 1969
Salmon Fishery Act (Ireland), 262
Salmon Fishery (Ireland) Act Amendment, 2R. 763
"Tornado," &c. Case of the, 765, 768, 1714, 1717

Clarendon, Earl of
Luxemburg, Grand Duchy of, 151

Clay, Mr. J., *Kingston-upon-Hull*
India Office, State Entertainment to the Sultan, Motion for an Address, 1762
Representation of the People, Comm. *add. cl.* 798; Amendt. 811, 894, 1004, 1014, 1029, 1030, 1032, 1036, 1202, 1208; Consid. *add. cl.* 1447

Cleveland, Duke of
Luxemburg, Grand Duchy of, 154

Cochin China
Question, Mr. Vanderbyl; Answer, Lord Stanley *June* 24, 427

Cochrane, Mr. A. D. R. W. Baillie, *Honiton*
Abyssinia—Captives in, 1723
Colonial Governors, Motion for an Address, 1740, 1742
Navy—Reserved Captains, 165
Parliament—Morning Sittings, 664
Representation of the People, Comm. *cl.* 31, 287, 531
Supply—Superannuations, 1487;—Coolie Emigration, 1771
"Tornado," Case of the, 2056, 2060
Trades Union Commission Act Extension, Comm. 1406

Cogan, Right Hon. W. H. F., *Kildare Co.*
Ireland—Representation of, Res. 716;—Carlow Lunatic Asylum, 1189, 1190

Colebrooke, Sir T. E., *Lanarkshire*
Representation of the People, Comm. *cl.* 18, 51; *cl.* 31, 279
Scotland—Education, 342

Coleridge, Mr. J. D., *Exeter*
Representation of the People, Comm. *add. cl.* 1208
Tests Abolition (Oxford and Cambridge), 3R. 84, 86

Collier, Sir R. P., *Plymouth*
Representation of the People, Comm. *cl.* 17, 48, 49; *cl.* 36, 296; *cl.* 40, 452, 460; *cl.* 43, 522; *add. cl.* 802, 807, 897, 1009, 1010, 1015, 1027, 1029, 1080; Amendt. 1206; Consid. *cl.* 23, Amendt. 1460
"Tornado," Case of the, 2061

Colonial Governors—Instructions to
Question, Mr. W. E. Forster; Answer, Mr. Adderley *July* 19, 1723
Amendt. on Committee of Supply *July* 19, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the names of all the Colonial Governors, the dates of their appointments, the amount of their salaries, and the number of years' service of each" (*Mr. Baillie Cochrane*), 1740; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Columbian States and British Commerce
Question, Mr. Graves; Answer, Lord Stanley *June* 28, 667

Colvile, Mr. C. R., *Derbyshire, S.*
Representation of the People, Comm. *cl.* 40, Amendt. 457

Common Law Courts (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Read 2°* *June* 20 [Bill 48]
Bill withdrawn* *July* 15

Companies Act (1862) Amendment Bill
(*Mr. Dodson, Mr. Stephen Cave, Mr. Hunt*)
c. Resolution in Committee; Bill ordered; read 1°* *July* 2 [Bill 221]

Conolly, Mr. T., *Donegal Co.*
Ireland—Representation of, Res. 710
Representation of the People, Comm. *cl.* A, 646

Consecration and Ordination Fees Bill
[H.L.] (*The Archbishop of Canterbury*)
l. Read 2ª* *June* 25 (No. 148)
Committee* *July* 1 (No. 193)
Report* *July* 2
Read 3ª* *July* 5
c. Read 1°* *July* 15 [Bill 256]
Read 2°* *July* 22

Consecration of Churchyards (No. 2) Bill
[H.L.] (*The Lord Bishop of Oxford*)
l. Read 2ª* *June* 25 (No. 144)
Committee *July* 8, 1163 (No. 208)
Report *July* 12, 1427 (No. 222)
Read 3ª* *July* 22
Royal Assent *August* 20 [30 & 31 *Vict.* c. 133]

Contagious Diseases (Animals) Bill [H.L.]
(*The Lord President*)
c. Read 2° * *June* 27 [Bill 196]
Committee *; Report *July* 4 [Bill 228]
Question, Sir Massey Lopes; Answer, Lord Robert Montagu *July* 19, 1727

Cork, Earl of
Education—Revised Code—Certificated Teachers, 1045

Corrance, Mr. F. S., *Suffolk, E.*
Representation of the People, Comm. *add. cl.* 1014, 1275; Schedule B, Amendt. 1281

Corrupt Practices at Elections Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Mr. Hunt*)
c. Report * *July* 11 [Bill 247]

Corry, Right Hon. H. T. L. (First Lord of the Admiralty), *Tyrone Co.*
"Ethiopian," Wreck of the, 168
Mexico—Fate of the Emperor Maximilian, 984
Naval Review, The, 1520, 1521, 1724
Navy—Reserved Captains, 165;—Constitution of the Board of Admiralty, 980;—Dockyard Accounts, 1190;—Contract for Gunboats, 1512

County Courts Acts Amendment Bill [H.L.] (*The Lord Chancellor*)
l. Report * *June* 21 (No. 169)
Read 3ª * *June* 24
c. Read 1° * *June* 27 [Bill 212]
Read 2° * *July* 11
Committee *July* 22—R.P. 1911

County General Assessment (Scotland) Bill (*Sir G. Montgomery, Mr. Sec. G. Hardy*)
c. Ordered; read 1° * *July* 2 [Bill 225]
Read 2° * *July* 11
Committee *; Report *July* 22 [Bill 270]

County Treasurers (Ireland) Bill
(*The Marquess of Clanricarde*)
l. Read 2ª * *June* 25 (No. 149)
Committee *; Report *July* 1
Read 3ª * *July* 2
Royal Assent *July* 15 [30 & 31 *Vict.* c. 46]

Court of Appeal Chancery (Despatch of Business) Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª * *July* 11 (No. 215)
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *July* 12, 1432; Bill read 2ª, after short debate; Committee negatived
Read 3ª * *July* 15
c. Read 1° * *July* 15 [Bill 254]
Read 2° * *July* 18
Committee *; Report *July* 19

Court of Chancery (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Read 3° * *June* 21 [Bill 180]
l. Read 1ª * (*The Lord Chancellor*) *June* 24
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *June* 28, 662; Bill read 2ª, after short debate (No. 172)
Committee *; Report *July* 1
Read 3ª * *July* 2
Royal Assent *July* 15 [30 & 31 *Vict.* c. 44]

Court of Chancery Officers Bill [H.L.]
(*The Lord Chancellor*)
l. Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *June* 25, 493; Bill read 2ª, after short debate (No. 154)
Committee *July* 1, 764
Amendments made (No. 194)
Report * *July* 2
Read 3ª * *July* 4
c. Read 1° * *July* 8 [Bill 235]
Moved, "That the Bill be now read 2°" (*Mr. Attorney General*) *July* 11, 1414; Bill read 2°, after short debate

Courtown, Earl of
Offices and Oaths, Comm. *cl.* 1, 1372, 1376

Courts of Justice, The New
Question, Mr. Bentinck; Answer, Mr. Hunt *June* 25, 507; Question, Mr. Bentinck; Answer, Mr. Hunt *June* 27, 606

Courts of Law Officers (Ireland) Bill
(*Mr. Attorney General for Ireland, Lord Naas*)
c. Committee * *June* 27—R.P. [Bill 178]
Committee *July* 8, 1250—R.P.
Re-comm. *; Report *July* 11
Considered * *July* 15 [Bill 248]
Moved, "That the Bill be now read 3°" *July* 22, 1911; Bill read 3°, after short debate
l. Read 1ª * (*The Lord Chancellor*) *July* 23 (No. 254)

Cowen, Mr. J., *Newcastle-on-Tyne*
Poor Law Board, Comm. 1419
Representation of the People, Comm. *cl.* 40, 450; 3R. 1559

Cowper, Earl
Volunteers—Employment of, in Civil Disturbances, 756

Cowper, Right Hon. W. F., *Hertford*
Representation of the People, Comm. *add. cl.* 1272
Supply—Royal Parks, &c. 1694;—Houses of Parliament, 1702, 1703

CRANBORNE, Right Hon. Viscount, *Stamford*
Representation of the People, Comm. *cl.* 29, 180, 190; *cl.* 36, 297; *cl.* 40, 438; *cl.* 42, 486; *cl.* 43, 515; *cl.* 31, 533; *add. cl.* 614; *cl.* A, 617, 620, 638; *cl.* D, 648; *add. cl.* 673; Amendt. 675, 677, 844, 999, 1027, 1028; Amendt. 1029, 1097; Preamble, 1291; Consid. *add. cl.* 1448; 3R. 1526

CRANWORTH, Lord
Charitable Donations and Bequests (Ireland), 1062
Convocation and the Commission on Ritualism, 1176
Court of Chancery (Ireland), 2R. 663
Court of Chancery (Officers), 2R. 493
Ireland—Inland Fisheries, Address for Returns, 1429
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1721
Prorogation of Parliament, 2R. 1661
Sale of Land by Auction, Commons Amendments, 4
Salmon Fishery Act (Ireland), 260
Salmon Fishery (Ireland) Act Amendment, 2R. 761; 3R. 1063

CRAUFURD, Mr. E. H. J., *Ayr, &c.*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 1, 556

CRAWFORD, Mr. R. W., *London*
Army—Captain Jervis and the Simla Court Martial, 608
Cattle—Importation of, Res. 349
Parliament—Public Business, Amendt. 775, 782;—Business of the House, 1523, 1877
Representation of the People, Comm. *cl.* 24, 55; *cl.* A, 622; *add. cl.* 799, 806, 808, 848, 993, 1020, 1023, 1193, 1196, 1200, 1201

Crete—Insurrection in, see *Turkey*

Criminal Law
Broadmoor Criminal Lunatic Asylum, Question, Mr. Floyer; Answer, Mr. Gathorne Hardy *July* 8, 1186
Fulford and Wellstead (Poaching), Case of, Question, Mr. Taylor; Answer, Mr. Gathorne Hardy *June* 20, 166
Amendt. on Committee of Supply *July* 5, To leave out from "That," and add "an humble Address be presented to Her Majesty praying that She will be graciously pleased to give directions that there be laid before this House a Copy of the Depositions on which the conviction of two men for poaching by the Salisbury Bench of County Magistrates in March last was based" (*Mr. Taylor*), 1147; after debate, Question, "That the words, &c.;" A. 70, N. 31; M. 39; Question, Mr. Taylor; Answer, Mr. Gathorne Hardy, *July* 9, 1263
Gurney, Case of George Edward—The Licensing Magistrates, Middlesex, Question, Mr. Morrison; Answer, Mr. Hunt *June* 24, 425
Reformatory and Industrial Schools, Question, Mr. Candlish; Answer, Mr. Gathorne Hardy *June* 24, 426
[*cont.*

Criminal Law—cont.
Stipendiary Magistrates—Minutes of Evidence—The Cornish Magistrates, Question, Mr. P. A. Taylor; Answers, Mr. Gathorne Hardy, Mr. Kendall *July* 15, 1513

CROSSLEY, Sir F., *Yorkshire, W.R.—N.*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 1, 556
Supply—Nonconforming, &c. Ministers (Ireland), 1677

CURZON, Viscount, *Leicestershire, S.*
Army—March of Troops to Hounslow, 1191, 1391

Customs Duties (Isle of Man) Bill
(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Considered in Committee; Resolution reported; Bill ordered; read 1°* *July* 15
Read 2°* *July* 22 [Bill 253]

Customs Revenue Bill
(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1°* *July* 9 [Bill 238]
Read 2°* *July* 22

Danubian Principalities—Persecution of Jews—see *Moldavia*

DAWSON, Mr. R. Peel, *Londonderry Co.*
Ireland—Representation of, Res. 715
Supply—Nonconforming, &c. Ministers (Ireland), 1674

DE GREY AND RIPON, Earl
Army—Transport and Supply Departments, 586;—March of Troops to Hounslow, 1492
Ireland—Inland Fisheries, Address for Returns, 1429
New Zealand—Withdrawal of Troops, Motion for a Return, 1507, 1508
Volunteers—Employment of, in Civil Disturbances, 751, 761
War Department Stores Protection, 2R. 1062

DE MAULEY, Lord
Metropolis—London Water Supply, 1496

DENBIGH, Earl of
Ireland—Established Church, Motion for an Address, 409
Moldavia—Persecution of Jews, Motion for an Address, 750
Offices and Oaths, Comm. *cl.* 1, 1370
Transubstantiation, &c. Declaration Abolition, Comm. 1384
Turkey—Treatment of Christians, 353
Volunteers—Employment of, in Civil Disturbances, 758

DENISON, Right Hon. J. E., *see* SPEAKER, The

Denman, Lord
  Ireland—Inland Fisheries, Address for Returns, 1429
  Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1718
  Luxemburg, Grand Duchy of—The Collective Guarantee, 978
  Moldavia—Persecution of Jews, 848
  Railways (Guards' and Passengers' Communication), 2R. 1260
  Representation of the People, 2R. 1856

Denman, Hon. G., *Tiverton*
  Attorneys, &c. Certificate Duty, Comm. 549, 551 ; 3R. 923
  Meetings in Royal Parks, 2R. 1896
  Representation of the People — Ratepaying Clause, 854
  Representation of the People, Comm. *cl.* 15, 40 ; *cl.* 17, 48 ; *cl.* 29, 211 ; *cl.* 31, 276, 281 ; *cl.* 33, Amendt. 289, 290 ; *cl.* 36, 292, 295 ; Amendt. 300 ; *cl.* 40, Amendt. 451 ; *cl.* 43, 519 ; *add. cl.* 668, 670, 679, 684, 686, 688, 696, 699, 782, 783, 1230, 1241, 1266

Dent, Mr. J. D., *Scarborough*
  Contagious Diseases (Animals), 1728

Derby, Earl of (First Lord of the Treasury)
  Abyssinia—Imprisonment of British Subjects, 240, 242
  Christ Church (Oxford) Ordinances, 2R. 1426
  Consecration of Churchyards, Comm. *add. cl.* 1167
  Convocation and the Commission on Ritualism, 1178, 1180
  Crete—Insurrection in, 159
  Increase of the Episcopate, 3R. 248
  Ireland—Railways, 353 ;—Established Church, Motion for an Address, 396, 412, 421, 489 ; —Inland Fisheries, Address for Returns, 1430 ; — Constabulary, Sub-Constable Jennings, Address for Papers, 1620
  Luxemburg, Grand Duchy of, 148, 153, 157, 238 ;—The Collective Guarantee, 968, 975
  Meetings in Royal Parks, 2R. 1424
  Mexico—Fate of the Emperor Maximilian, 979, 1253, 1709
  Offices and Oaths, Comm. *cl.* 1, 1379
  Parliament—Business of the House, Motion for Returns, 133, 136 ; Motion for a Committee, 263
  Representation of the People, 1R. 1615, 1616 ; 2R. 1774, 1823, 1862, 1923, 1959, 2020, 2023, 2033
  Ritualism—The Royal Commission, 121, 123, 125, 1178
  "Tornado," Case of the, 1715
  Turkey—Treatment of Christians, 353

Dering, Sir E. C., *Kent, E.*
  Representation of the People, Comm. *cl.* 31, 276 ; *add. cl.* 1274

De Ros, Lord
  Volunteers—Employment of, in Civil Disturbances, 760

Devon, Earl of (Chief Commissioner of the Poor Law Board)
  Galway Harbour (Composition of Debt), 2R. 964, 965 ; Comm. 1255
  Industrial Schools, 2R. Amendt. 1712
  Limerick Harbour (Composition of Debt), 2R. 4 ; Comm. 1182

Dick, Mr. W. W. Fitzwilliam, *Wicklow Co.*
  Ireland—Fenian Drilling in Wicklow, 988

Dilke, Sir W., *Wallingford*
  Libel, Re-comm. *cl.* 1, 543

Dillwyn, Mr. L. L., *Swansea*
  Carriers Act Amendment, Comm. Amendt. 1614
  National Gallery Pictures (South Kensington Museum), Motion for an Address, 539
  Railway Companies, 1626
  Railways (Guards' and Passengers' Communication), Comm. 554 ; *cl.* 1, 556 ; *cl.* 4, Motion for an Adjournment, 557 ; *add. cl.* 559 ; 3R. 847
  Representation of the People, Comm. 863 ; *add. cl.* 1212 ; Consid. 1450
  Supply—Volunteers, Report, 845

Dimsdale, Mr. R., *Hertford*
  Representation of the People, Comm. *add. cl.* 1272

Disraeli, Right Hon. B., *see* Chancellor of the Exchequer

District Lunatic Asylums Officers (Ireland) Bill (*Lord Naas, Mr. Attorney General for Ireland*)
  c. Motion for Leave (*Lord Naas*) *July* 9, 1314 ; after short debate, Bill ordered ; read 1°
  Read 2° * *July* 15 [Bill 242]
  Committee ; Report *July* 22, 1914 [Bill 269]

District Prothonotaries, Court of Common Pleas, County Palatine of Lancaster Bill [H.L.] (*The Earl of Devon*)
  c. Read 1° * *July* 9 [Bill 241]
  Read 2° * *July* 22

Dodson, Mr. J. G. (Chairman of the Committee of Ways and Means) *Sussex, E.*
  Cattle Trade, 1622, 1623
  Parliamentary Deposits, Motion for a Committee, 424
  Representation of the People, Comm. *cl.* 29, 179, 180 ; *cl.* 40, 436, 437 ; *cl.* A, 619 ; *add. cl.* 694, 874, 884, 1237 ; Consid. *cl.* 27, Amendt. 1460
  Supply—Houses of Parliament, 1698
  Turnpike Acts Continuance, 1910

Dog Duty
  Question, Sir Andrew Agnew ; Answer, Mr. Hunt *July* 15, 1516

Dogs Regulation (Ireland) Act (1865) Amendment Bill
(*Mr. Stacpoole, Mr. Lawson, Mr. O'Beirne*)
c. Read 2° * *June* 27 [Bill 184]
Committee * *July* 9—R.P.
Committee *; Report *July* 15
Considered * *July* 18
Read 3° * *July* 19
l. Read 1ª * (*The Marquess of Clanricarde*) *July* 19 (No. 247)

Doulton, Mr. F., *Lambeth*
Representation of the People, 3R. 1590

Down and Connor, Bishop of
Brown's Charity, 2R. 498
Ireland—Established Church, Motion for an Address, 393
Offices and Oaths, Comm. *cl.* 1, 1372

Drainage and Improvement of Lands (Ireland) Supplemental Bill
(*Mr. Hunt, Lord Naas*)
c. Committee *; Report *June* 18 [Bill 199]
Read 3° * *June* 19
l. Read 1ª * (*The Earl of Devon*) *June* 20
Read 2ª * *June* 25 (No. 165)
Committee *; Report *June* 28
Read 3ª * *July* 1
Royal Assent *July* 15 [30 & 31 *Vict.* c. 43]

Dublin Metropolitan Police Bill
(*Lord Naas, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *July* 10 [Bill 246]

Duff, Mr. M. E. Grant, *Elgin, &c.*
Fulford and Wellstead, Case of, Motion for an Address, 1162
India—Covenanted Educational Service in Bombay, Motion for an Address, 1482
Representation of the People, Comm. *cl.* 15, 40
Scotland—Education, 303
Tests Abolition (Oxford and Cambridge), 3R. 84

Duncombe, Vice-Admiral Hon. A., *Yorkshire, E.R.*
Parliament—Members' Seats in the House, 163
Representation of the People, Comm. *add. cl.* 674, 1202

Dundee Provisional Orders Confirmation Bill (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1° * *July* 15 [Bill 257]
Read 2° * *July* 19
Committee *; Report *July* 22
Considered * *July* 23

Dunkellin, Lord, *Galway Co.*
Army—March of Troops to Hounslow, 1391
Ireland—Taxation, Res. 1309
Parliament—Public Business, 778
Representation of the People, Comm. *add. cl.* 783

Dunne, Major-Gen. F. P., *Queen's Co.*
Courts of Law Officers (Ireland), Re-comm. *cl.* 37, Amendt. 1251
Ireland—Charity Commission and Trinity College, Dublin, 169;—Taxation, Res. 1301, 1306;—Registration of Deeds, Motion for a Committee, 1670
Irish Peerage—The Royal Prerogative, Motion for an Address, 1134
Supply—Superannuation, 1488;—Hospitals (Dublin), 1490;—Royal Parks, &c. Amendt. 1690

Dyott, Colonel R., *Lichfield*
Representation of the People, Comm. *cl.* 31, 278, 532; *add. cl.* 700, 782, 784, 1227; Schedule A, Amendt. 1279; Schedule D, 1289

Ebury, Lord
Convocation and the Commission on Ritualism, 1176

Ecclesiastical Titles Act Repeal Bill
(*Mr. MacEvoy, Mr. M'Kenna, Mr. Leader*)
c. Moved, "That Mr. MacEvoy be one of the Members of the Select Committee on the Ecclesiastical Titles and Roman Catholic Relief Act" *June* 24, 486
Moved, "That the Debate be now adjourned" (*Mr. Newdegate*); A. 17, N. 25; M. 8; previous Question again put, and agreed to
Mr. Walpole, Mr. Gregory, Mr. Howes, Mr. Coleridge, Mr. Attorney General for Ireland, nominated other Members of the said Committee
Moved, "That Mr. M'Kenna be one other Member of the said Committee; [House counted out]
Question, Mr. Newdegate; Answer, The Chancellor of the Exchequer *June* 25, 507
Select Committee nominated; List of the Committee *June* 27, 651
Bill withdrawn * *July* 22 [Bill 84]

Edinburgh Provisional Order Confirmation Bill (*Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Ordered * *June* 19; read 1° * *June* 21 [Bill 205]
Read 2° * *June* 27
Committee *; Report *June* 28
Read 3° * *July* 1
l. Read 1ª * (*The Earl of Belmore*) *July* 2
Read 2ª * *July* 8 (No. 198)
Committee *; Report *July* 9
Read 3ª * *July* 11
Royal Assent *July* 15 [30 & 31 *Vict.* c. 58]

Education
Education (*Scotland*), Observations, Mr. Grant Duff; Reply, Lord Robert Montagu *June* 21, 303
Inspection of Schools, Question, Mr. Bagnall; Answer, Lord Robert Montagu *June* 20, 169
Merton College, Question, Mr. Lowe; Answer, Lord Robert Montagu *July* 12, 1439

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Education—cont.

Paris Universal Exhibition, 1867, Select Committee appointed, "to consider and report on the advisability of making purchases from the Paris Exhibition for the benefit of the Schools of Science and Art in the United Kingdom, and any other means of making that Exhibition useful to the manufacturing industry of Great Britain and Ireland" (*Mr. Layard*) *June* 20, 238; List of the Committee

Revised Code—Certificated Teachers, Observations, The Earl of Cork; short debate thereon *July* 5, 1045

School Building Grants, Question, Sir Lawrence Palk; Answer, Lord Robert Montagu *July* 8, 1187

Technical Education Abroad, Question, Mr. W. E. Forster; Answer, Lord Stanley *July* 19, 1723

Education of the Poor Bill

(*Mr. Bruce, Mr. W. E. Forster, Mr. A. Egerton*)

c. Moved, "That the Bill be now read 2°" (*Mr. Bruce*) *July* 10, 1317; after long debate, Debate adjourned

Bill withdrawn * *July* 15 [Bill 111]

EDWARDS, Sir H., *Beverley*

Parliament—Members' Seats in the House, 162

Representation of the People, Comm. *cl.* 40, 450, 454

EDWARDS, Mr. C., *Windsor*

Representation of the People, Comm. *cl.* 31, 281

EGERTON Lord

Limerick Harbour (Composition of Debt), 2R. 5

EGERTON, Hon. A. F., *Lancashire, S.*

Education of the Poor, 2R. 1342

Representation of the People, Comm. *add. cl.* 1009, 1218, 1236

EGERTON, Hon. W., *Cheshire, N.*

Representation of the People, Comm. Schedule B, 1282

EGERTON, Mr. E. C., *Macclesfield*

"Mermaid," Destruction of the Ship, Motion for an Address, 1757

Supply—Bounties on Slaves, 1897

Egypt—Visit of the Viceroy of

Question, Lord Wharncliffe; Answer, The Earl of Malmesbury *June* 28, 663; Question, Lord Eustace Cecil; Answer, Lord Stanley, 665; Question, Lord Eustace Cecil; Answer, Lord Stanley *July* 2, 853

ELCHO, Lord, *Haddingtonshire*

Attorneys, &c. Certificate Duty, 3R. 923

Fulford and Wellstead, Case of, Motion for an Address, 1160

Metropolis—Hyde Park Review, 772

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ELCHO, Lord—*cont.*

Representation of the People, Comm. *cl.* 29, 219; 3R. 1574, 1581

Supply—Volunteers, Report, 845;—Superannuation, 1487

Volunteer Review, The, 1518

Volunteers, Res. 739

ELIOT, Lord, *Devonport*

Supply—Embassy House, Constantinople, 1706

ELLENBOROUGH, Earl of

Increase of the Episcopate, 3R. 258

Volunteers, Employment of, in Civil Disturbances, 759

ENFIELD, Viscount, *Middlesex*

Cattle Plague, 1436

Metropolitan Poor Relief Act—Nominees, 425

ESMONDE, Mr. J., *Waterford Co.*

Representation of the People, Comm. *add. cl.* 1026

Supply—Miscellaneous Expenses, 1909

Established Church (Ireland)

Moved, "That an humble Address be presented to Her Majesty praying that Her Majesty will be pleased to give Directions that by the Operation of a Royal Commission or otherwise full and accurate Information be procured as to the Nature and Amount of the Property and Revenues of the Established Church in Ireland, with a view to their more productive Management, and to their more equitable application for the Benefit of the Irish People" (*The Earl Russell*) *June* 24, 354; Amendt. to leave out after "Management," and insert "And also as to the means by which they may be made best to promote the Efficiency of the Established Church in Ireland" (*The Bishop of Ossory, &c.*); on Question, "That the words, &c.;" Cont. 38, Not-Cont. 20; M. 52; List of Cont. and Not-Cont. 422; Then the said Amendt. withdrawn; Motion, as amended, agreed to—*The Address*, Explanation, The Duke of Argyll *June* 25, 489; Personal Explanation, Earl Russell 506—*Her Majesty's Answer June* 28, 653—*The Commission*, Question, Mr. Monsell; Answer, Lord Naas *July* 4, 983

"Ethiopian," Wreck of the

Question, Mr. Alderman Lusk; Answer, Mr. Corry *June* 20, 167

EVANS, Mr. T. W., *Derbyshire, S.*

Representation of the People, Comm. *cl.* A, 631

EVERSLEY, Viscount

Increase of the Episcopate, 3R. 247

EWART, Mr. W., *Dumfries, &c.*

Metropolis—Hyde Park Gravel Pits, 1437

EWING, Mr. H. E. CRUM.- *Paisley*
Colonial Governors, Motion for an Address, 1742

EXCHEQUER, CHANCELLOR of the, *see* CHANCELLOR of the EXCHEQUER

Execution of Deeds Bill
(*Mr. Goldney, Mr. Leeman, Mr. Powell*)
c. Bill withdrawn* *July* 15 [Bill 138]

Factory Acts Extension Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Report of Select Committee *July* 9 [No. 430]
Report* *July* 9 [Bill 236]

FANE, Lieut.-Col. H. H., *Hampshire, S.*
Army—Camps at Aldershot and Colchester, 987

FAWCETT, Mr. H., *Brighton*
Attorneys, &c. Certificate Duty, 3R. 923
India Office—State Entertainment to the Sultan, 1624; Motion for an Address, 1763
Ireland—Trinity College, Dublin, Res. 55, 56
Representation of the People, Comm. *cl.* 40, 481, 486; *cl.* A, Amendt. 625, 646; *add. cl.* 803, 1085, 1110
Uniformity Act Amendment, Comm. 963

FEVERSHAM, Lord
Representation of the People, 2R. 1971

FINLAY, Mr. A. S., *Argyllshire*
India—Indian Railways, 1192
Supply—Superannuation, 1489

FLOYER, Mr. J., *Dorsetshire*
Broadmoor Criminal Lunatic Asylum, 1186

FORDYCE, Mr. W. D., *Aberdeenshire*
Land Tenure (Ireland), 2R. 585

Foreign Decorations
Question, Mr. Labouchere; Answer, Lord Stanley *July* 23, 2070

FORESTER, Rt.Hon.Gen. G. C. W., *Wenlock*
Representation of the People, Comm. *add. cl.* 1015; Amendt. 1016; Consid. *cl.* 29, 1461

FORSTER, Mr. C., *Walsall*
Parliament—Privilege—Signatures to a Petition, 1124

FORSTER, Mr. W. E., *Bradford*
Boundary Commissioners, 17, 267
Colonial Governors, Instructions to, 1723
Education of the Poor, 2R. 1350, 1359
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Fulford and Wellstead, Case of, Motion for an Address, 1158
Martial Law in the Colonies, 268;—Charge of the Lord Chief Justice, Res. 903, 909
[*cont.*

FORSTER, Mr. W. E.—*cont.*
Representation of the People, Comm. *cl.* 15, 43; *cl.* 19, 53; *cl.* 24, Motion for Adjournment, 55; *cl.* 31, 279, 524, 533, 534, 535; *cl.* A, 624; *add. cl.* 674, 697, 698, 1005, 1208, 1267; Schedule B, 1284; Consid. *cl.* 3, Amendt. 1453
Supply—Volunteers, Report, 845;—Polish Refugees, 1489
Trades Union Commission Act Extension, Comm. 1399; *cl.* 1, 1410
Volunteers, Res. 734

FORTESCUE, Right Hon. Chichester S., *Louth Co.*
Ireland—Representation of, Res. 703, 710, 717, 718
Land Tenure (Ireland), 2R. 566
Sunday Lectures, 2R. 109
Supply—Labuan, 1770

FRENCH, Rt. Hon. Colonel F., *Roscommon Co.*
Ireland—Representation of, Res. 709
Irish Peerage—The Royal Prerogative, Motion for an Address, 1131
Libel, Re-comm. *add. cl.* 546
Mexico—Fate of the Emperor Maximilian, 984
Parliament—Public Business, 774
Parliamentary Deposits, Motion for a Committee, 424
Representation of the People, Comm. *add. cl.* 1017

Friendly Societies
Motion for Returns of number of Paupers who have been Members; also number of Societies in each county of England and Wales (*The Earl of Lichfield*) *June* 20, 125; after short debate, Motion agreed to

Fulford and Wellstead (Poaching), Case of
Question, Mr. Taylor; Answer, Mr. Gathorne Hardy *June* 20, 166
(See *Criminal Law*)

Galashiels Jurisdiction Bill (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *July* 8 [Bill 234]
Read 2°* *July* 11
Committee*; Report *July* 23

GALLWEY, Sir W. P., *Thirsk*
Naval Review, The, 1397

Galway Harbour (Composition of Debt) Bill (*Mr. Dodson, Lord Naas, Mr. Hunt*)
c. Report of Select Committee *June* 18 [No. 378]
Report* *June* 18 [Bill 200]
Re-comm*; Report *June* 20
Considered* *June* 21
Read 3°* *June* 24
l. Read 1ª* (*The Earl of Devon*) *June* 25
Moved, "That the Order of the 3rd of May last be dispensed with in respect of the said Bill, on the Ground of the Delay occasioned by lengthened negotiations with a Creditor
[*cont.*

Galway Harbour (*Composition of Debt*) *Bill*—cont.
and Necessity of obtaining the Consent to the Measure of a Committee of the Grand Jury of the County of Galway (*The Earl of Devon*), 964; after short debate, Motion agreed to
Moved, "That the Bill be now read 2^{a}" (*The Earl of Devon*) *July* 4; after further short debate, Bill read 2^{a} (No. 176)
Committee; Report *July* 9, 1255
Read 3^{a} * *July* 11
Royal Assent *July* 15 [30 & 31 *Vict.* c. 56]

Galway, Viscount, *Retford* (*East*)
Representation of the People, Comm. *cl.* A, 619, 623; *add. cl.* 897, 1015

Game Laws Amendment (Ireland) Bill (*The O'Donoghue, Mr. Cogan, Mr. Serjeant Barry*)
c. Ordered; read 1° * *July* 2 [Bill 226]
Read 2° * *July* 11
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 12, 1491
Whereupon Motion made, and Question, "That this House do now adjourn" (*Mr. Vance*), put, and agreed to

Game Laws (Scotland) Bill (*Lord Elcho, Mr. Henry Baillie, Sir Robert Anstruther*)
c. Report of Select Committee * *July* 8
Report * *July* 8 [Bill 231]

Game Preservation (Scotland) Bill (*Mr. M'Lagan, Sir William Stirling-Maxwell, Mr. Fordyce*)
c. Report of Select Committee * *July* 8
Report * *July* 8 [Bill 65]

Gaselee, Mr. Serjeant S., *Portsmouth*
Railways (Guards' and Passengers' Communication), 3R. Amendt. 847
Representation of the People, Comm. *cl.* 31, 524; *add. cl.* 615, 676, 806, 842; Amendt. 884, 885, 1024, 1207, 1237; Consid. *add. cl.* 1449

General Police and Improvement (Scotland) Act (1862) Provisional Order Confirmation Bill (*Mr. Secretary G. Hardy, Sir Graham Montgomery*)
c. Ordered * *June* 19

Gibson, Rt. Hon. T. M., *Ashton-under-Lyne*
"Mermaid," Destruction of the Ship, Motion for an Address, 1758
Representation of the People, Comm. *add. cl.* 669
Storm Warnings, Res. 1736

Gilpin, Colonel R. T., *Bedfordshire*
Naval Review, The, 1626
Representation of the People, Comm. *add. cl.* 690, 700, 843, 998, 1228, 1248

Gilpin, Mr. C., *Northampton*
Increase of the Episcopate, 2R. 1642
Representation of the People, Comm. *cl.* D, 648; *add. cl.* 787
Watson, William, Case of, 427

Gladstone, Right Hon. W. E., *Lancashire, S.*
Education of the Poor, 2R. 1361
Ireland—Trinity College, Dublin, Res. 77;—Representation of, Res. 723
Libel, Re-comm. *cl.* 4, 544
Middlesex Registry, Res. 82
Parliament—Public Business, 781;—Business of the House, 1522
Representation of the People—Statistics, 608;—The Lodger Franchise, 667;—Area of the New Boroughs, 774
Representation of the People, Comm. *cl.* 15, 38; *cl.* 17, 49; *cl.* 18, 50; *cl.* 31, 269, 271, 273, 288, 525, 529, 531, 533, 535, 536; *cl.* 36, 293, 298; *cl.* 37, 301; *cl.* 40, 444, 451, 456, 469, 475; *cl.* 43, 511; *add. cl.* 614; *cl.* A, 622, 640; *cl.* D, Amendt. 648; *add. cl.* 670, 672, 676, 682; Motion for Adjournment, 684, 699, 703, 789, 794, 799, 839, 843, 857, 863, 874, 877, 888, 890, 896, 1000, 1012, 1034, 1205, 1207, 1213, 1246, 1269; Schedule B, 1283; Preamble, 1290, 1291; Consid. *add. cl.* 1448, 1452, 1457
Supply—Royal Palaces, 1688
Trades Union Commission Act Extension, Comm. 1402

Gloucester and Bristol, Bishop of
Education—Revised Code—Certificated Teachers, 1053

Goldney, Mr. G., *Chippenham*
Representation of the People, Comm. *cl.* 18, 49, 50; *cl.* 19, 52; *cl.* 29, 209; *cl.* 31, 275, 534; *cl.* 33, 290; *cl.* 40, 474; *add. cl.* 1024, 1025, 1027, 1266; Consid. *cl.* 3, 1458
Supply—Miscellaneous Expenses, 1908
Turnpike Acts Continuance, 2R. 1909

Goldsmid, Sir F. H., *Reading*
Moldavia—Treatment of Jews, Motion for an Address, 1136
Representation of the People, Comm. *cl.* 36, 291; Amendt. 299; *cl.* 40, 448; Consid. *cl.* 3, Amendt. 1453, 1454

Goldsmid, Mr. J., *Honiton*
Libel, 3R. 1659
Representation of the People, Comm. *add. cl.* Amendt. 1018, 1026, 1027; Consid. *cl.* 21, Amendt. 1460; 3R. 1557
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 955
Weights and Measures, False, 987

Gorst, Mr. J. E., *Cambridge Bo.*
Representation of the People, Comm. *add. cl.* 674, 1073; 3R. 1557

Goschen, Right Hon. G. J., *London*
Limited Liability, 171
Representation of the People, Comm. *cl.* 43, 516 ; *cl.* A, Amendt. 621 ; *add. cl.* 821, 1197
Uniformity Act Amendment, Comm. *add. cl.* 963

Gower, Hon. F. Leveson, *Bodmin*
Representation of the People, Consid. *add. cl.* 1450

Grant, Mr. A., *Kidderminster*
Representation of the People, Comm. *add. cl.* 1025

Granville, Earl
Abyssinia—Imprisonment of British Subjects, 242
Brown's Charity, 2R. 498
Convocation and the Commission on Ritualism, 1176, 1179
Limerick Harbour (Composition of Debt), Comm. 1185
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Parliament—Business of the House, Motion for Returns, 137
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Ritualism—The Royal Commission, 124, 243, 1176

Graves, Mr. S. R., *Liverpool*
Columbian States—British Commerce with the, 667
Postal—Conveyance of Mails to Nassau, &c. 603
Representation of the People, 3R. 1554

Gray, Sir J., *Kilkenny Bo.*
Land Tenure (Ireland), 2R. 572

Greene, Mr. E., *Bury St. Edmunds*
Land Tenure (Ireland), 2R. 568

Gregory, Mr. W. H., *Galway Co.*
Ireland—Distress in West Galway, 605 ;—Museum of Irish Industry, 1517
"Tornado," Case of the, 2034, 2060

Grey, Earl
Cape of Good Hope—Withdrawal of Troops, 11
Consecration of Churchyards, Comm. *cl.* 1, 1165
Increase of the Episcopate, 3R. Amendt. 250
Ireland—Established Church, Motion for an Address, 418 ; Previous Question moved, 421
London, Brighton, and South Coast Railway, 1423
Luxemburg, Grand Duchy of—The Collective Guarantee, 978
Representation of the People, 1R. 1616 ; 2R. Amendt. 1803, 2031

Grey, Right Hon. Sir G., *Morpeth*
Banns of Matrimony, 2R. 938
Meetings in Royal Parks, 2R. 1896
Naval Review, The, 1726
Parliament—Morning Sittings, 665 ;—Alteration of Notices of Questions, 1067 [*cont.*

Grey, Right Hon. Sir G.—*cont.*
Representation of the People, Comm. *cl.* 31, 274 ; Amendt. 532, 533, 534 ; *cl.* 36, 291 ; *cl.* 37, 302 ; *add. cl.* 1115, 1242, 1273 ; Consid. *add. cl.* 1449 ; *cl.* 21, 1460
Sunday Lectures, 2R. 111
Trades Union Commission Act Extension, Comm. 1404
Volunteers, Res. 743

Griffith, Mr. C. Darby, *Devizes*
Crete—Affairs of, 172 ;—Insurrection in, 429
Meetings in Royal Parks, 2R. 1896
Moldavia—Treatment of Jews, Motion for an Address, 1139
Parliament — Members' Seats in the House, 160 ;—Business of the House, 1877
Railways (Guards' and Passengers' Communication), 3R. 847
Representation of the People, Comm. *cl.* 31, 288, 522 ; Amendt. 609, 610 ; *cl.* 36, 297, 299 ; *cl.* 37, 302 ; *cl.* 40, 437, 486 ; *cl.* 42, 508 ; *add. cl.* 616, 675, 676, 788, 791 ; Amendt. 811, 873 ; Amendt. 1018 ; Motion for Adjournment, 1036, 1227 ; Schedule A, 1280 ; Schedule F, Amendt. 1476
Representation of the People (Ireland), 17
Supply—Bounties on Slaves, 1897, 1898

Guarantees of Government Officers Bill
(*Mr. John Abel Smith, Mr. Hankey*)
c. Ordered ; read 1° * *July* 2 [Bill 223]
Read 2° * *July* 15

Gurney, Case of George Edward—The Licensing Magistrates, Middlesex
Question, Mr. Morrison ; Answer, Mr. Hunt *June* 24, 425

Gurney, Rt. Hon. Russell, *Southampton*
Representation of the People, Comm. *cl.* 43, 522 ; *cl.* D, 647, 648 ; *add. cl.* 680, 1205

Hadfield, Mr. G., *Sheffield*
Africa—West Coast — Naval Squadron, Res. 2082
Increase of the Episcopate, 2R. 1645
Investment of Trust Funds, Comm. *add. cl.* 1654
Postal Conventions, Foreign, 1186
Representation of the People, Comm. *add. cl.* 795, 870 ; Amendt. 872, 882 ; Schedule B, 1284
Supply— Nonconforming, &c. Ministers (Ireland), Amendt. 1672, 1680, 1681
Trades Union Commission Act Extension, Comm. 1403 ; *cl.* 1, 1411

Halifax, Viscount
Volunteers—Employment of, in Civil Disturbances, 758

Hamilton, Right Hon. Lord C. (Vice Chamberlain of the Household), *Tyrone Co.*
District Lunatic Asylums Officers (Ireland), Leave, 1316
Industrial Schools (Ireland), Comm. 117, 118,
Land Tenure (Ireland), 2R. 575

Hankey, Mr. T., *Peterborough*
Ireland—Taxation, Res. 1313
Representation of the People, Comm. *add. cl.* 1198
Supply—Royal Palaces, 1686;—Royal Parks, &c. 1691;—Houses of Parliament, 1696

Hardcastle, Mr. J. A., *Bury St. Edmunds*
Representation of the People, Comm. *cl.* 40, Amendt. 438, 450

Hardinge, Viscount
Army—Transport and Supply Department, 596

Hardy, Right Hon. G. (Secretary of State for the Home Department), *Oxford University*
Birmingham Riots, 17, 88, 174;—Mr. Murphy's Discourses, 925, 1262
Board of Works, 667
Broadmoor Criminal Lunatic Asylum, 1186
Charities and Schools, Rating of, 266
Education of the Poor, 2R. 1356, 1359
Fulford and Wellstead, Case of, 166; Motion for an Address, 1153, 1156, 1158, 1159, 1161, 1263
Increase of the Episcopate, 2R. 1646, 1648
Infection—Case of Emanuel Cook, 852
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Meetings in Royal Parks, 1626; 2R. 1878, 1882, 1895, 1896
Middlesex Registry, Res. 81
Prison Ministers Act, 1766
Queen Anne's Bounty Office, 1623
Reformatory and Industrial Schools, 426
Representation of the People, Comm. *cl.* 36, 295; *cl.* 40, 453, 456, 485; *cl.* 31, Amendt. 528, 531, 536; *cl.* A, 621, 623, 624; *add. cl.* 680, 689, 1025, 1207, 1227, 1268; Preamble, 1290; Consid. *add. cl.* 1447, 1450; *cl.* 46, 1469, 1481
Scotland—Secretary of State for, 167;—Education, 347
Sunday Lectures, 2R. 109
Trades Union Commission Act Extension, Comm. 1398; *cl.* 1, 1408, 1411
Trades Unions Commission—Mr. Conolly, 1437
Traffic Regulations—Waggons and Drays, 428
Turnpike Acts Continuance, 2R. 1910
Veal, Cruelties in the Preparation of, 770
Weights and Measures—Inspection of, 773, 774;—False, 987
Whortleberry Case, The, 1513

Hardy, Mr. J., *Dartmouth*
Meetings in Royal Parks, 2R. 1894, 1895
Representation of the People, Comm. 862; *add. cl.* 996, 1005

Harrowby, Earl of
Increase of the Episcopate, 3R. 248
Representation of the People, 2R. 1979

Hartington, Right Hon. Marquess of, *Lancashire, N.*
Representation of the People, Comm. *cl.* 40, 464; *add. cl.* 1219; Consid. *cl.* 10, 1459

Hay, Sir J. C. D. (Lord of the Admiralty) *Stamford*
Africa—West Coast—Naval Squadron, Res. 2080
Supply—Bounties on Slaves, 1899

Hayter, Captain A. D., *Wells*
Parliament—Business of the House, 1523
Representation of the People, Comm. *add. cl.* 1273

Headlam, Right Hon. T. E. (Judge Advocate General), *Newcastle-upon-Tyne*
Martial Law—Charge of the Lord Chief Justice, Res. 914
"Mermaid," Destruction of the Ship, Motion for an Address, 1743
Parliament—House of Commons (Arrangements), Motion for a Committee, 536
Representation of the People, Comm. *cl.* 36, 292; *cl.* 40, 442; *cl.* 43, 511; *add. cl.* 895, 1198, 1203

Heathcote, Sir W., *Oxford University*
Banns of Matrimony, 2R. 939
Representation of the People, Comm. *cl.* 40, 483; *cl.* 43, 517; *add. cl.* 671; Consid. *cl.* 46, 1472
Sunday Lectures, 2R. 107
Uniformity Act Amendment, Comm. *add. cl.* 963

Henderson, Mr. J., *Durham City*
Representation of the People, Comm. *add. cl.* 675; Schedule B, 1477

Henley, Lord, *Northampton*
Representation of the People, Comm. *cl.* A, 620; *add. cl.* 1008, 1227

Henley, Right Hon. J. W., *Oxfordshire*
Banns of Matrimony, 2R. 940
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250
Education of the Poor, 2R. 1344, 1346, 1347, 1354
Fulford and Wellstead, Case of, Motion for an Address, 1159
Increase of the Episcopate, 2R. 1652
Libel, Re-comm. *add. cl.* 544
Representation of the People, Comm. *cl.* 15, 43; *cl.* 18, 51; *cl.* 36, 295, 298; *cl.* 40, 459, 460, 482; *cl.* 43, 519; *add. cl.* 613, 615; *cl.* A, 620, 621, 634; *add. cl.* 671, 673, 700, 809, 870, 1011, 1012; Amendt. 1023, 1024, 1025, 1028, 1107, 1200, 1201, 1208, 1270
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 956
Sunday Lectures, 2R. 103
Tests Abolition (Oxford and Cambridge), 3R. Motion for Adjournment, 84

Henniker-Major, Hon. J. M., *Suffolk, E.*
Representation of the People, Comm. *add. cl.* 1277; Schedule D, Amendt. 1289

Herbert, Right Hon. Colonel Percy E. (Treasurer of the Household) *Shropshire, S.*
Representation of the People, Comm. *cl.* 40, 457; Consid. *cl.* 29, Amendt. 1461

Heygate, Sir F. W., *Londonderry Co.*
District Lunatic Asylums Officers (Ireland), Leave, 1315
Ireland—Trinity College, Dublin, Res. 75;—Representation of, Res. 728;—Taxation, Res. 1310

Hibbert, Mr. J. T., *Oldham*
Poor Law Board, Comm. 1417
Representation of the People, Comm. *cl.* 19, 52; *cl.* 23, 53; *cl.* 31, 277, 533; *cl.* 43, 521; *cl.* A, 618, 623; Amendt. 624, 628; *add. cl.* 696, 882, 892, 897; Amendt. 1014, 1016, 1017, 1018; Consid. *cl.* 27, 1461; *cl.* 29, *ib.*

Hodgson, Mr. W. N., *Carlisle*
Railways (Guards' and Passengers' Communication), Comm. 552; *cl.* 1, Motion for Adjournment, 556

Hogg, Colonel J. M., *Bath*
Representation of the People, Comm. *add. cl.* 675, 1026

Holden, Mr. I., *Knaresborough*
Representation of the People, Comm. *cl.* 40, Amendt. 451; Schedule B, Amendt. 1285
Sunday Lectures, 2R. 115

Holland, Mr. E., *Evesham*
Loss of Life at Sea, 170

Hope, Mr. A. J. Beresford, *Stoke-on-Trent*
Banns of Matrimony, 2R. Amendt. 936
Representation of the People, Comm. *cl.* 23, 54; *cl.* 31, 279; *cl.* 40, 443; *cl.* A, 630; *add. cl.* 702, 788, 1016, 1019, 1032, 1274; 3R. 1561
Sunday Lectures, 2R. 97
Tests Abolition (Oxford and Cambridge), 3R. 84; Motion for Adjournment, 86

Horsfall, Mr. T. B., *Liverpool*
Representation of the People, Comm. *add. cl.* 811, 815, 843

Horsman, Right Hon. E., *Stroud*
Birmingham—Riots at, 173, 428

Hotham, Lord, *Yorkshire, E.R.*
Parliament—House of Commons (Arrangements), Motion for a Committee, 537
Representation of the People, Comm. *cl.* A, 632

Houghton, Lord
Abyssinia—Imprisonment of British Subjects, 242
Luxemburg, Grand Duchy of, 147, 238, 239;—The Collective Guarantee, 966, 978
Representation of the People, 2R. 1975

Hours of Labour Regulation Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Report* *July* 16 [Bill 258]

Houses of Parliament Bill
(*The Earl of Devon*)
l. Read 2ª* *June* 18 (No. 136)
Committee*; Report *June* 21
Read 3ª* *June* 24
Royal Assent *July* 15 [30 & 31 *Vict.* c. 40]

Howard, Hon. C. W. G., *Cumberland, E.*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 1, 556
Representation of the People, Comm. *add. cl.* 787

Hubbard, Mr. J. G., *Buckingham*
Education of the Poor, 2R. 1366

Hughes, Mr. T., *Lambeth*
Martial Law—Charge of the Lord Chief Justice, Res. 918
Representation of the People, Comm. *add. cl.* 876, 1025, 1043, 1204
Trades Union Commission Act Extension, Comm. 1406; *cl.* 1, 1411
Volunteers, Res. 740

Hunt, Mr. G. W. (Secretary to the Treasury) *Northamptonshire, N.*
Attorneys, &c. Certificate Duty, 3R. Amendt. 922
Cattle Plague—Compensation for Slaughtered Cattle, 1668
Civil Servants' Half Holiday, 773
Dog Duty, The, 1516
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 652
Gurney, George Edward, Case of, 425
Ireland—Taxation, Res. 1304;—Registration of Deeds, Motion for a Committee, 1772
Local Government Supplemental (No. 2), Lords Amendments, 1422
Metropolis—New Law Courts, 507, 606
Parliament—Business of the House, 1523
Postal—Conveyance of Mails to Nassau, &c. 603;—Post Office Arrangements, 1191
Postal Service, Private, 1391
Representation of the People, Comm. *add. cl.* 898, 1012; Amendt. 1017, 1031
Supply—Superannuation, 1487, 1488;—Polish Refugees, &c. 1489;—Miscellaneous Charges, 1490;—Nonconforming, &c. Ministers (Ireland), 1675;—Rates for Government Property, 1705;—Embassy House, Constantinople, *ib.* 1706;—Board of Fisheries (Scotland), 1904;—Inspection of Corn Returns, 1905;—Cultivation of Flax (Ireland), 1906;—Agricultural Statistics, *ib.*;—Miscellaneous Expenses, 1907, 1908, 1909
Telegraphic and Postal Systems, 1621

Hylton, Lord
Salmon Fishery (Ireland) Act Amendment, 2R. 762

Hypothec Amendment (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
Royal Assent *July* 15 [30 & 31 *Vict.* c. 42]

Inclosure (No. 2) Bill (*The Earl of Devon*)
l. Read 2ª* *June* 18 (No. 158)
Committee* *July* 15
Report* *July* 16
Read 3ª* *July* 18
Royal Assent *August* 12 [30 & 31 *Vict.* c. 71]

Increase of the Episcopate Bill [H.L.]
(*The Lord Lyttelton*)
l. Read 3ª *June* 21, 245 (No. 129)
Amendt. page 5, line 4, to leave out ("until One half of the Amount necessary for the Endowment of such Bishop shall have been otherwise provided") (*The Earl of Shaftesbury*)
After short debate, on Question, "That the said words, &c.;" Cont. 82, Not-Cont. 73; M. 9; List of Cont. and Not-Cont. 249
Amendt. (*The Earl Grey*); Cont. 35, Not-Cont. 72; M. 37; List of Cont. and Not-Cont. 259; resolved in the negative; Bill passed, and sent to the Commons *June* 21
c. Read 1°* *June* 27 [Bill 213]
Moved, "That the Bill be now read 2°" (*Sir Roundell Palmer*) *July* 16, 1637
Amendt. to leave out "now" and add "upon this day three months" (*Mr. Gilpin*); after short debate, A. 45, N. 34; M. 11; Bill read 2°
Question, Mr. White; Answer, Sir Roundell Palmer *July* 22, 1878

India
Central India Prize Money, Question, Mr. Thomas Chambers; Answer, Sir John Pakington *July* 4, 983
Covenanted Educational Service in Bombay, Amendt. on Committee of Supply *July* 12, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of Correspondence between the Director of Public Instruction at Bombay and the Secretary to Government at Bombay, with respect to the constitution of a small Covenanted Educational Service in that Presidency" (*Mr. Grant Duff*), 1482; Question, "That the words, &c.;" after short debate, Question put, and negatived; words added; main Question, as amended, put, and agreed to
Indian Railways, Question, Mr. Finlay; Answer, Sir Stafford Northcote *July* 8, 1192
Indian Securities, Question, Mr. Biddulph; Answer, Sir Stafford Northcote *June* 20, 171
Land Revenues, Question, Mr. Watkin; Answer, Sir Stafford Northcote *July* 11, 1395
Metric System—Weights and Measures, Question, Mr. J. B. Smith; Answer, Sir Stafford Northcote *July* 2, 856
Orissa Famine, The, Question, Mr. Henry Seymour; Answer, Sir Stafford Northcote *July* 15, 1515
Simla Court Martial, Question, Mr. Brett; Answer, Sir John Pakington *June* 27, 606; Question, Mr. Otway; Answer, Sir Stafford Northcote *July* 1, 770

Industrial and Provident Societies Acts Amendment Bill
(*Mr. Thomas Hughes, Mr. Bright*)
c. Read 2°* *June* 21 [Bill 198]
Committee* *July* 2—R.P.
Committee*; Report *July* 12
Considered* *July* 22
Read 3°* *July* 23
l. Read 1ª* (*The Earl De Grey*) *July* 23 (No. 253)

Industrial Schools Bill [H.L.]
(*The Marquess Townshend*)
l. Presented; read 1ª* *July* 12 (No. 223)
Moved, "That the Bill be now read 2ª" (*The Marquess Townshend*) *July* 19, 1711
Amendt. to leave out ("now") and insert ("this Day Three Months") (*The Earl of Devon*); after short debate, on Question, That ("now,") &c.; resolved in the negative

Industrial Schools (Ireland) (*re-committed*) **Bill** (*The O'Conor Don, Mr. Monsell, Mr. Leatham*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*The O'Conor Don*) *June* 19, 116
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Vance*); after short debate, Question, "That the words, &c.;" A. 198, N. 54; M. 144; main Question put, and agreed to; Bill considered in Committee —R.P. [Bill 102]

Ingham, Mr. R., *South Shields*
Representation of the People, Comm. *cl.* 43, 511

Inland Revenue Bill
(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1°* *July* 9 [Bill 239]
Read 2°* *July* 22

Intestates' Widows and Children Bill [H.L.]
c. Ordered; read 1°* *July* 5 [Bill 230]
Bill withdrawn* *July* 22

Intestates' Widows and Children (Scotland Bill (*Sir Graham Montgomery, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *July* 18 [Bill 261]
Bill withdrawn* *July* 22

Investment of Trust Funds Bill
(*Mr. Henry B. Sheridan, Mr. Ayrton*)
c. Moved, "That the Bill be now read 2°" (*Mr. H. B. Sheridan*) *June* 25, 551; after short debate, Bill read 2° [Bill 197]
Committee; Report *July* 16, 1653
Considered* *July* 18 [Bill 259]
Read 3°* *July* 19
l. Read 1ª* *July* 19 (No. 246)

Ireland

Carlow Lunatic Asylum, Question, Mr. Cogan; Answer, Lord Naas *July* 8, 1189

Charity Commissions and Trinity College, Dublin, Question, General Dunne; Answer, Lord Robert Montagu *June* 20, 169

Constabulary, Case of Sub-Constable Jennings, Address for Papers (*The Earl of Leitrim*) *July* 16, 1620; after short debate, Motion withdrawn

Distress in West Galway, Question, Mr. Gregory; Answer, Lord Naas *June* 27, 605

Established Church (Ireland)—(See Title—*Established Church (Ireland)*

Fenianism—Morewood, Mr. J. J., Petition of, Moved, "That a Select Committee be appointed to inquire into the Statements contained in the Petition of Mr. John Joseph Morewood, presented on the 3rd of May last, and to report to the House thereupon" (*The Marquess Townshend*) *June* 28, 660; after short debate, on Question? Cont. 8, Not-Cont. 42; M. 34; resolved in the negative; List of Cont. and Not-Cont. 662—

Fenian Drilling in Wicklow, Question, Mr. Fitzwilliam Dick; Answer, Lord Nass *July* 4, 988

Habeas Corpus Suspension Act, Question, Mr. Blake; Answer, Lord Naas *July* 23, 2072

Inland Fisheries, Moved, "That an humble Address be presented to Her Majesty for, Return of all Expenses of the Special Commissioners for the Inland Fisheries of Ireland, &c.:

"Similar Returns in relation to the Special Commissioners for England, &c." (*The Marquess of Clanricarde*) *July* 12, 1427; after debate, Motion agreed to

Irish Peerage—The Royal Prerogative, Amendt. *July* 5, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to consider the expediency of withholding the exercise of Her Royal Prerogative of creating Peers of Ireland, or filling up vacancies that may occur in the Peerage of that part of the United Kingdom, with a view to the ultimate union of the Peerage, of Ireland with the Peerage of the United Kingdom" (*Sir Colman O'Loghlen*), 1127; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Landed Estates, Resolution (*Mr. O'Beirne*) *July* 16, 1628

See Title—*Landed Estates (Ireland)*

Museum of Irish Industry, Question, Mr. Gregory; Answer, Lord Robert Montagu *July* 15, 1517

Police Barracks, Question, The Earl of Bessborough; Answer, The Earl of Belmore *June* 25, 503; Question, Mr. Bagwell; Answer, Lord Naas *June* 27, 603

Railways, Petition presented (*The Earl of Kimberley*) *June* 24, 352

Representation of the People, Amendt. on Committee of Supply *June* 28, To leave out from "That," and add "this House considers it essential to the satisfactory settlement of the Question of Parliamentary Reform that there should be an amendment of the Law relating to the Representation of the People in Ireland as well as in the other portions of the United Kingdom; and considers it desirable that, in accordance with the promise of the Chancellor of the Exchequer, the Government should introduce their Bill upon that subject during the present Session" (*Mr. Chichester Fortescue*), 703; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Trinity College (Dublin), Moved, "That, in the opinion of this House, it is undesirable that the Fellowships and Foundation Scholarships of Trinity College, Dublin, should be exclusively appropriated to those who are members of the Established Church" (*Mr. Fawcett*) *June* 18, 55

Amendt. To leave out from "House," and add "the constitution of the University of Dublin should be altered so as to enable and fit it to include Colleges connected with other forms of religion than that of the Established Church, and that the members of such Colleges should be entitled to share in all the benefits now enjoyed by the members of Trinity College" (*Mr. Monsell*); Question, "That the words, &c.;" after debate, Debate adjourned till To-morrow; Question, The O'Conor Don; Answer, Lord Naas *July* 16, 1623

Taxation, Moved, "That, in the opinion of this House, there has been a great and disproportionate increase of Irish Taxation since 1841, as compared with the increase of Taxation in Great Britain during the same period, which deserves the attention of Parliament" (*Mr. M'Kenna*) *July* 9, 1292; after debate, Motion withdrawn

Tyrone Magistrates, Question, Captain Archdall; Answer, Lord Naas *July* 2, 856; Question, Colonel Stuart Knox; Answer, Lord Naas *July* 22, 1874

Waterford Election—Case of Dennis Walsh, Question, Mr. Maguire; Answer, Lord Naas *June* 27, 605

Weights and Measures, Question, Sir Colman O'Loghlen; Answer, Lord Naas *July* 16, 1622

JACKSON, Mr. W., *Derbyshire, N.*

Representation of the People, Comm. *add. cl.* 1202

Jamaica—see *Martial Law—Charge of the Lord Chief Justice*

JAMES, Mr. E., *Manchester*

Representation of the People, Comm. *cl.* 33, 290; *add. cl.* 1196; Amendt. 1199, 1200

JERVIS, Major H. J. W., *Harwich*

Cattle, Importation of, Res. 351

Martial Law—Charge of the Lord Chief Justice, Res. 917

JERVOISE, Sir J. Clarke, *Hampshire, S.*

Africa—West Coast—Naval Squadron, Res. 2082

Infection—Case of Emanuel Cook, 852

Poor Law Board, Comm. 1418

Supply—Special Missions, Amendt. 1903

Vaccination, 3R. 651

Judges' Chambers (Despatch of Business) Bill [H.L.] (*The Lord Chancellor*)
c. Committee* ; Report *July* 11 [Bill 154]
Considered* *July* 15
Read 3°* *July* 18

Judgment Debtors Bill
(*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*)
c. Bill withdrawn* *July* 11 [Bill 132]

Justices of the Peace Disqualification Removal Bill (*Colonel Wilson Patten, The Marquess of Hartington*)
c. Ordered ; read 1°* *July* 10 [Bill 245]
Read 2°* *July* 15

Karslake, Sir J. B., *see* Solicitor General The

Karslake, Mr. E. K., *Colchester*
Investment of Trust Funds, Comm. *add. cl.* 1653
Representation of the People, Comm. *cl.* 29, 205 ; *cl.* 36, 295

Kekewich, Mr. S. T., *Devonshire, S.*
Representation of the People, Comm. *cl.* 29, 177 ; *add. cl.* 1212 ; Consid. 1450

Kendall, Mr. N., *Cornwall, E.*
Supply—Royal Palaces, 1681, 1687
Vaccination, 3R. 651
Whortleberry Case, The, 1513

Kennard, Mr. R. W., *Newport* (*Isle of Wight*)
Representation of the People, Comm. *add. cl.* 1199

Kennedy, Mr. T., *Louth Co.*
Land Tenure (Ireland), 2R. 584
Supply—Nonconforming, &c. Ministers (Ireland), 1675

Ker, Mr. D. S., *Downpatrick*
Meetings in Royal Parks, 2R. 1893

Kimberley, Earl of
Agricultural Employment, 2R. 1665
Ireland—Railways, 352 ;—Established Church, Motion for an Address, 384, 386 ;—Inland Fisheries, Address for Returns, 1429
Limerick Harbour (Composition of Debt), Comm. 1183
Mexico—Fate of the Emperor Maximilian, 964
Offices and Oaths, Comm. *cl.* 1, 1369, 1374 ; *cl.* 4, 1379
Parliament—Business of the House, Motion for Returns, 141
Salmon Fishery (Ireland) Act Amendment, 3R. 1063
Transubstantiation, &c. Declaration Abolition, Comm. 1383, 1384

King, Hon. P. J. Locke, *Surrey, E.*
Representation of the People, Comm. *cl.* 43, 511 ; *cl.* 31, 531 ; Consid. Schedule B, 1478

Kinglake, Mr. Serjeant J. A., *Rochester*
Representation of the People, Comm. *cl.* 43, 509 ; *add. cl.* 674

Kinnaird, Hon. A. F., *Perth*
Africa—West Coast—Naval Squadron, Res. 2079
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487
Fulford and Wellstead, Case of, Motion for an Address, 1159
Increase of the Episcopate, 2R. 1651
India — Covenanted Educational Service in Bombay, Motion for an Address, 1485
Ireland—Trinity College, Dublin, Res. 77
Parliament—St. Stephen's Crypt, 1487
Sunday Lectures, 2R. 93 ; Amendt. 95
Supply—Superannuation, 1487 ;—Coolie Emigration, 1772 ;—Bounties on Slaves, 1897

Knatchbull-Hugessen, Mr. E. H., *Sandwich*
Representation of the People, Comm. *cl.* 18, Amendt. 49, 50 ; *cl.* 23, 53 ; *add. cl.* 810, 858, 1030
Turnpike Acts Continuance, 2R. 1909

Knightley, Sir R., *Northamptonshire, S.*
Representation of the People, Comm. *cl.* 36, Amendt. 290, 297 ; Preamble, 1290

Knox, Hon. Colonel W. Stuart, *Dungannon*
Army—Promotion in the, 168, 169 ;—Conveyance of Troops from Chatham to Liverpool, 604
Ireland—The Tyrone Magistrates, 1874
Representation of the People, Comm. *cl.* 31, 274
Supply—Nonconforming, &c. Ministers (Ireland), 1675

Knox, Colonel B. W., *Marlow*
Naval Review, The, 1519, 1520

Labouchere, Mr. H., *Middlesex*
Africa—West Coast—Naval Squadron, Res. 2078
Foreign Decorations, 2070
Representation of the People, Comm. *cl.* 29, 214 ; *cl.* A, Amendt. 627, 646 ; *add. cl.* 1007
Supply — Royal Parks, &c. 1694 ;—British Embassy Houses, 1704 ; — Bounties on Slaves, 1899 ;—Consuls Abroad, 1901 ;—Ministers at Foreign Courts, 1902 ;—Special Missions, 1903

Laing, Mr. S., *Wick, &c.*
Representation of the People, Comm. *cl.* A, 642 ; *add. cl.* 843, 874, 891, 1003, 1025, 1032 ; 3R. 1596

Lamont, Mr. J., *Buteshire*
Supply—Board of Fisheries (Scotland), Amendt. 1904

Landed Estates (Ireland)
Moved, "That this House will, upon Monday next, resolve itself into a Committee, to consider an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to take into consideration the expediency of recommending to the House to grant a sum by way of loan, not exceeding one million sterling, to be employed in the purchase of estates which may be offered for sale in the Landed Estates Court in Ireland, such estates to be re-sold, in subdivided farms, of not less than ten or more than one hundred acres each to the occupying tenants of such estates; or in the event of the tenants declining to purchase, then to such other persons as may be willing to purchase the same in subdivided farms, the purpose being to assert and encourage an independent proprietary of small freehold estates in Ireland" (*Mr. O'Beirne*) *July* 16, 1628; after short debate, Motion withdrawn

Landed Property Improvement and Leasing (Ireland) Bill
(*Mr. Pim, Mr. Leader, Mr. Blake*)
c. Bill withdrawn * *July* 22 [Bill 150]

Land Improvement and Leasing (Ireland Bill (*Lord Naas, Mr. Solicitor General for Ireland*)
c. Bill withdrawn * *July* 22 [Bill 30]

Land Improvement Contracts (Ireland) Bill (*Mr. Agar-Ellis, Colonel French*)
c. Committee * *July* 2—R.P. [Bill 32]

Land Tax Commissioners' Names Bill
(*Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Committee *; Report *June* 20 [Bill 31]
Considered * *June* 21
Read 3° * *June* 24
l. Read 1ª * (*The Earl of Devon*) *June* 25
Read 2ª * *July* 1 (No. 175)
Committee *; Report *July* 4
Read 3ª * *July* 5
Royal Assent *July* 15 [30 & 31 *Vict.* c. 51]

Land Tenure (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Gregory*)
c. Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *June* 26, 560
Amendt. to leave out "now" and add "upon this day six months" (*Sir Hervey Bruce*); Question, "That 'now,' &c.;" after debate, Debate adjourned
Bill withdrawn * *July* 22 [Bill 19]

Lanyon, Mr. C., *Belfast*
Supply—Nonconforming, &c. Ministers (Ireland), 1678

Lawrence, Mr. Alderman W., *London*
Representation of the People, Comm. *add. cl.* 789, 1199

Lawson, Right Hon. J. A., *Portarlington*
Ireland—Trinity College, Dublin, Res. 73

Layard, Mr. A. H., *Southwark*
Crete—Case of the "Arkadi," 1188, 2072, 2073
Paris Exhibition, Purchases at the, 2074
Supply—Coolie Emigration, 1771, 1772

Leeman, Mr. G., *York City*
Bankruptcy, 1065; Comm. 1416
Railways (Guards' and Passengers' Communication), Comm. 553
Representation of the People, Comm. *cl.* 40, 439

Lefevre, Mr. G. J. Shaw, *Reading*
Representation of the People, Comm. *add. cl.* 1068

Lefroy, Mr. A., *Dublin University*
Ireland—Trinity College, Dublin, Res. 63
Supply—Nonconforming, &c. Ministers (Ireland), 1678

Leitrim, Earl of
Ireland — Constabulary, Sub-Constable Jennings, Address for Papers, 1620

Lennox, Lord H. G. C. G. (Secretary to the Admiralty), *Chichester*
Naval Review, The, 1520

Lewis, Mr. Harvey, *Marylebone*
Representation of the People, Comm. *add. cl.* 817; Consid. 1482
Supply—Royal Parks, &c. 1692;—Houses of Parliament, 1696

Libel (*re-committed*) **Bill**
(*Sir Colman O'Loghlen, Mr. Baines*)
c. Committee; Report *June* 25, 539 [Bill 208]
Moved, "That the Bill be now read 3°" (*Sir Colman O'Loghlen*) *July* 16, 1659; after short debate, [House counted out]

Lichfield, Earl of
Friendly Societies, Motion for Returns, 125, 128

Liddell, Hon. H. G., *Northumberland, S.*
Representation of the People — Registration Clauses, 18
Representation of the People, Comm. *cl.* 15, 27; *cl.* 43, 510; *cl.* A, 618; *add. cl.* 872, 1042
Storm Warnings, Res. 1738

Life Policies Nomination Bill
(*Mr. Shaw Lefevre, Mr. Hibbert, Mr. T. Hughes*)
c. Ordered; read 1° * *June* 18 [Bill 201]

Lifford, Viscount
Salmon Fishery Act (Ireland), 262
Salmon Fishery (Ireland) Act Amendment, 2R. 762

Limerick, Earl of
Limerick Harbour (Composition of Debt), Comm. 1185

Limerick Harbour (Composition of Debt) Bill (*The Earl of Devon*)
l. Moved, "That the Bill be now read 2ª" (*The Earl of Devon*) *June* 18, 4; after short debate, Bill read 2ª (No. 138)
Report of the Lords Committee * *July* 2
Committee; Report *July* 8, 1182
Read 3ª * *July* 9
Royal Assent *July* 15 [30 & 31 *Vict.* c. 53]

Limited Liability
Question, Mr. Goschen; Answer, Mr. Stephen Cave *June* 20, 171

Linen and other Manufactures (Ireland) Bill (*Mr. Lanyon, Mr. Getty*)
c. Read 2° * *June* 19 [Bill 183]
Committee *; Report *June* 24
Read 3° * *June* 25
l. Read 1ª * (*The Lord Cairns*) *June* 27 (No. 186)
Read 2ª * *July* 8
Committee *; Report *July* 9
Read 3ª * *July* 11
Royal Assent *July* 15 [30 & 31 *Vict.* c. 60]

Lis Pendens Bill (*The Lord St. Leonards*)
c. Re-comm. *; Report *June* 20 [Bill 153]
Considered * *June* 21
Read 3° * *June* 24
l. Royal Assent *July* 15 [30 & 31 *Vict.* c. 47]

Lloyd, Sir T. D., *Cardiganshire*
Representation of the People, Comm. *add. cl.* 1001, 1019, 1022, 1023, 1024

Local Government Supplemental (No. 2) Bill (*The Earl of Belmore*)
l. Committee * *June* 18 (No. 119)
Report * *June* 20
Read 3ª * *June* 21
. Lords' Amendments considered *July* 11, 1421
Committee appointed to draw up reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed; List of the Committee, 1422
Royal Assent *July* 25 [30 & 31 *Vict.* c. 65]

Local Government Supplemental (No. 3) Bill (*Mr. Sec. G. Hardy, Mr. Sclater-Booth*)
c. Considered * *June* 18 [Bill 187]
Read 3° * *June* 20
l. Read 1ª * (*The Earl of Belmore*) *June* 21
Read 2ª * *June* 24 (No. 166)
Committee *; Report *June* 25
Read 3ª * *June* 27
Royal Assent *July* 15 [30 & 31 *Vict.* c. 65]

Local Government Supplemental (No. 4) Bill (*Mr. Sec. G. Hardy, Mr. Sclater-Booth*)
c. Committee *; Report *June* 18 [Bill 191]
Considered * *June* 19
Read 3° * *June* 20
l. Read 1ª * (*The Earl of Belmore*) *June* 21
Read 2ª * *June* 24 (No. 167)
Committee * *July* 9; Report *July* 11 (No. 207)
Read 3ª * *July* 12
Royal Assent *July* 25 [30 & 31 *Vict.* c. 67]

Local Government Supplemental (No. 5) Bill (*Mr. Secretary G. Hardy, Mr. Hunt*)
c. Ordered; read 1° * *June* 21 [Bill 206]
Read 2° * *June* 28
Committee *; Report *July* 4
Considered * *July* 8
Read 3° * *July* 11
l. Read 1ª * (*The Earl of Belmore*) *July* 12
Read 2ª * *July* 15 (No. 221)
Order for Committee read *July* 16, 1619; after short debate, Order discharged

Local Government Supplemental (No. 6) Bill (*Mr. Sec. G. Hardy, Mr. Sclater-Booth*)
c. Ordered; read 1° * *July* 9 [Bill 244]
Read 2° * *July* 12
Referred to Select Committee *July* 18

Locke, Mr. J., *Southwark*
Libel, Re-comm. *cl.* 1, 542; *add. cl.* 547, 549
Metropolis—London University, 1263
Railways (Guards' and Passengers' Communication), Comm. *cl.* 4, 558
Representation of the People, Comm. *add. cl.* 678, 681, 698, 699, 1017, 1032, 1204, 1264; Consid. *cl.* 3, Amendt. 1454
Sunday Lectures, 2R. 113
Turnpike Acts Continuance, 2R. 1910

London, Bishop of
Book of Common Prayer, Address for Papers, 1432
Consecration of Churchyards, Comm. *cl.* 1, 1164
Convocation and the Commission on Ritualism, 1172
Increase of the Episcopate, 3R. 254

London, Brighton, and South Coast Railway
Observations, Lord Redesdale *July* 12, 1422; short debate thereon

Longford, Earl of (Under Secretary of State for War)
Army — Transport and Supply Departments, 592, 602;—March of Troops to Hounslow, 1492
Ireland—Inland Fisheries, Address for Returns, 1431
Patriotic Fund, 2R. 1255
Volunteers—Employment of, in Civil Disturbances, 754, 761
War Department Stores Protection, 2R. 1062

Lopes, Sir M., *Westbury*
Contagious Diseases (Animals), 1727

LOWE, Right Hon. R., *Calne*
- Army—Knightsbridge Barracks, 1515
- Merton College, 1439
- Representation of the People, Comm. *cl.* 15, 18, 44; *add. cl.* 101, 104, 1017, 1024, 1036, 1116; 3R. 1539

LOWTHER, Mr. J., *York City*
- Representation of the People, Comm. *cl.* 40, 441, 480; *add. cl.* Motion for Adjournment, 702; Consid. *cl.* 2, Amendt. 1453; *cl.* 46, Amendt. 1462, 1472

Lunacy (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
- *l.* Presented; read 1ª* *June* 20 (No. 163)
- Read 2ª* *June* 27
- Committee*; Report *June* 28
- Read 3ª* *July* 1
- *c.* Read 1º* *July* 2 [Bill 219]
- Read 2º* *July* 4
- Committee*; Report *July* 5
- Read 3º* *July* 8
- *l.* Royal Assent *July* 15 [30 & 31 *Vict.* c. 55]

LUSK, Mr. Alderman A., *Finsbury*
- Africa — West Coast—Naval Squadron, Res. 2082
- "Ethiopian," Wreck of the, 167
- Increase of the Episcopate, 2R. 1652
- Metropolis—Hyde Park, 1517
- Supply — Superannuation, 1487; Motion for Adjournment, 1488;—Polish Refugees, 1489;—Hospitals (Dublin), 1491;—Nonconforming, &c. Ministers (Ireland), 1676; Amendt. 1680;—Royal Palaces, 1681, 1685;—Royal Parks, &c. 1692, 1694;—Houses of Parliament, 1697;— British Embassy Houses, Paris and Madrid, 1704;—Embassy House, Constantinople, 1706;—Labuan, 1770;—Bounties on Slaves, 1773; Amendt. 1898, 1899;—Services in China, &c. 1901;—Special Missions, 1903;—Board of Fisheries (Scotland), 1904;—Cultivation of Flax (Ireland), 1905; Amendt. 1906
- Weights and Measures, Inspection of, 773

Luxemburg, Grand Duchy of
- Observations, Earl Russell; Reply, The Earl of Derby *June* 20, 144
- *The Recent Debate*, Explanations, Lord Houghton *June* 21, 238
- *Treaty of* 1867 — *The Collective Guarantee*, Question, Lord Houghton; Answer, The Earl of Derby *July* 4, 966

LYTTELTON, Lord
- Brown's Charity, 2R. 502
- Convocation and the Commission on Ritualism, 1175
- Friendly Societies, Motion for Returns, 128
- Increase of the Episcopate, 3R. 259
- Representation of the People, 2R. 1921

LYVEDEN, Lord
- Agricultural Employment, 2R. 1664
- Luxemburg, Grand Duchy of—The Collective Guarantee, 977 [*cont.*

LYVEDEN, Lord—*cont.*
- Offices and Oaths, Comm. *cl.* 1, Amendt. 1367
- Parliament—Business of the House, Motion for Returns, 129, 136; — Notice of Questions, 1255
- Transubstantiation, &c. Declaration Abolition, Comm. 1384

MACEVOY, Mr. E., *Meath Co*
- Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487, 651
- Prison Ministers Act, 1765

MCKENNA, Mr. J. N., *Youghal*
- Ireland—Taxation, Res. 1292, 1314

MCLAREN, Mr. D., *Edinburgh*
- Prison Ministers Act, 1768
- Railways (Guards' and Passengers' Communication), Comm. 553
- Representation of the People, Comm. *cl.* 40, 457; *cl.* 31, 534; *cl.* A, 619; *add. cl.* 671, 804, 1012, 1017, 1022, 1024; Consid. *cl.* 3, 1457
- Roman Catholic Churches, Schools, &c. (Ireland), 2R. 958
- Sunday Lectures, 2R. 112
- Supply — Nonconforming, &c. Ministers (Ireland), 1679;—Embassy House, Constantinople, 1706

MAGUIRE, Mr. J. F., *Cork City*
- Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487
- Ireland—Case of Dennis Walsh, 605
- Prison Ministers Act, 1767
- Supply—Cultivation of Flax (Ireland), 1905

Maintenance of Families Bill [H.L.]
(*The Marquess Townshend*)
- *l.* Presented; read 1ª* *July* 19 (No. 244)

MALMESBURY, Earl of (Lord Privy Seal)
- Charities, Assessment of, 745
- Egypt—Viceroy of, Visit of the, 663
- Ireland—Inland Fisheries, Address for Returns, 1428, 1429
- Mexico — Fate of the Emperor Maximilian, 964
- Moldavia—Persecution of Jews, Motion for an Address, 750
- Parliament— Business of the House, Motion for a Committee, 264; — Construction of the House, Motion for a Committee, 657
- Sale of Land by Auction, Commons Amendments, 4
- Salmon Fishery Act (Ireland), 261
- "Tornado," Case of the, 767, 768
- Volunteers—Employment of, in Civil disturbances, 759

MANCHESTER, Duke of
- Cape of Good Hope—Withdrawal of Troops, 5

Manners, Right Hon. Lord J. J. R. (Chief Commissioner of Works, &c.), *Leicestershire, N.*
Metropolis—Hyde Park Review, 772;—London University, 1263;—Hyde Park Gravel Pits, 1437;—Hyde Park Railings, 1518
Parliament — House of Commons (Arrangements), Motion for a Committee, Amendt. 538;—St. Stephen's Crypt, 1486
Representation of the People, Comm. *add. cl.* 1016
Supply—Royal Palaces, 1681, 1686;—Royal Parks, &c. 1690, 1692, 1693, 1695;—Houses of Parliament, 1697, 1698, 1701, 1704;—British Embassy Houses, *ib.*;—New Foreign Office, *ib*

Marlborough, Duke of (Lord President of the Council)
Brown's Charity, 2R. 496
Education — Revised Code — Certificated Teachers, 1054
Increase of the Episcopate, 3R. 249
Morewood, Mr. J. J., Case of, Motion for a Committee, 660
Representation of the People, 2R. 1864, 1916

Marsh, Mr. M. H., *Salisbury*
Fulford and Wellstead, Case of, Motion for an Address, 1153
Representation of the People, Comm. *add. cl.* 668, 670; Consid. *add. cl.* 1446

Martial Law—Charge of the Lord Chief Justice
Moved, "That whereas, by the Law of this Kingdom no man may be forejudged of life or limb but by the lawful judgment of his Peers, or by the Law of the Land; and no commission for proceeding by Martial Law may issue forth to any person or persons whatever, by colour of which any of Her Majesty's subjects may be destroyed or put to death contrary to the Laws and Franchise of this land, and the pretended power of suspending of Laws, or the execution of Laws by Regal authority without consent of Parliament is illegal; this House would regard as utterly void and illegal any commission or proclamation purporting or pretending to proclaim Martial Law in any part of this Kingdom" (*Mr. O'Reilly*) *July* 2, 899; after long debate, Motion withdrawn
Martial Law in the Colonies—Instructions to Governors, Question, Mr. W. E. Forster; Answer, Mr. Adderley *June* 21, 268
Purcell, Mr., Stipendiary Magistrate of Jamaica, Question, Earl Russell; Answer, The Duke of Buckingham; short debate thereon *July* 19, 1718
Regimental Courts Martial, Question, Colonel Annesley; Answer, Mr. Mowbray *June* 18, 16

Martin, Mr. P. Wykeham, *Rochester*
Banns of Matrimony, 2R. 939
Representation of the People, Comm. *cl.* 23, 54; *add. cl.* 894, 1010, 1011
Sunday Lectures, 2R. 112

Master and Servant Bill (*Lord Elcho, Mr. George Clive, Mr. Algernon Egerton*)
c. Re-comm.*; Report *June* 20 [Bill 204]
Re-comm.*; Report *July* 9 [Bill 240]
Re-comm.*; Report *July* 12
Considered * *July* 18
Read 3° * *July* 19
l. Read 1ª * (*The Earl of Lichfield*) *July* 19 (No. 248)

Mauritius, Fever in the
Question, Mr. Pim; Answer, Mr. Adderley *July* 8, 1192

Meetings in Royal Parks Bill (*The Lord Redesdale*)
l. After short debate, Second Reading put off to Friday next *July* 12, 1424
After short debate, Order for 2R. discharged; Bill withdrawn *July* 19, 1709 (No. 113)

Meetings in Royal Parks Bill (*Mr. Secretary Walpole, Lord John Manners, Mr. Attorney General*)
c. Question, Mr. P. A. Taylor; Answer, Mr. Gathorne Hardy *July* 16, 1626
Moved, "That the Bill be now read 2°" (*Mr. Gathorne Hardy*) *July* 22, 1878
After short debate, Amendt. to leave out "now," and add "upon this day three months" (*Mr. Taylor*); after further short debate, Question, "That 'now,' &c.;" A. 181, N. 64; M. 117; main Question put, and agreed to; Bill read 2° [Bill 134]
Committee; Report *July* 23, 2033 [Bill 273]

Melville, Viscount
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1718, 1721

Merchant Seamen, Treatment of, in Welsh Ports
Question, Colonel Williams; Answer, Mr. Stephen Cave *July* 4, 989

Merchant Shipping Bill [H.L.] (*The Duke of Richmond*)
l. Presented; read 1ª * *June* 25 (No. 180)
Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *July* 2, 848; after short debate, Bill read 2ª
Committee *; Report *July* 11 (No. 219)
Re-comm. * *July* 16
Report * *July* 18
Read 3ª * *July* 19

Meredyth, Lord
Offices and Oaths, Comm. *cl.* 1, 1376
Salmon Fishery (Ireland) Act Amendment, 2R 762

"*Mermaid,*" *Case of the,* see *Spain*

Metropolis
Board of Works, Question, Colonel Sykes; Answer, Mr. Gathorne Hardy *June* 28, 666
Courts of Justice, The New, Question, Mr. Bentinck; Answer, Mr. Hunt *June* 25, 507; Question, Mr. Bentinck; Answer, Mr. Hunt *June* 27, 606
False Weights and Measures, Question, Mr. Goldsmid; Answer, Mr. Gathorne Hardy *July* 4, 987
Hyde Park Review, Question, Captain Vivian; Answer, Lord John Manners *July* 1, 772
Hyde Park, Question, Mr. Ewart; Answer, Lord John Manners *July* 12, 1437; Question, Mr. Alderman Lusk; Answer, Lord John Manners *July* 15, 1517
London University, Question, Mr. Locke; Answer, Lord John Manners *July* 9, 1263
London Water Supply, Observations, Lord de Mauley; Reply, The Duke of Richmond *July* 15, 1496
Street Outrages, Preservation of the Peace—the Militia, Question, Colonel Biddulph; Answer, Sir John Pakington *June* 19, 87
Traffic Regulations — Waggons and Drays, Question, Mr. Read; Answer, Mr. Gathorne Hardy *June* 24, 428

Metropolis Subways Bill
(*Mr. Tite, Colonel Hogg*)
c. Report * *July* 12 [Bill 249]

Metropolitan Police Bill
(*The Earl of Belmore*)
l. Committee *; Report *June* 18 (No. 135)
Read 3ª * *June* 20 (No. 171)
Royal Assent *July* 15 [30 & 31 *Vict*. c. 39]

Mexico—Fate of the Emperor Maximilian
Question, The Earl of Kimberley; Answer, The Earl of Malmesbury *July* 4, 964; Question, Earl Russell; Answer, The Earl of Derby, 976; Question, Mr. Sandford; Answer, Lord Stanley, 983; Question, Colonel French; Answer, Mr. Corry, 984; Question, Captain Vivian; Answer, Sir John Pakington; Observations, Sir Lawrence Palk, 985; Question, Viscount Stratford de Redcliffe; Answer, The Earl of Derby *July* 9, 1252; Question, Sir Lawrence Palk; Answer, Lord Stanley *July* 11, 1393; Notice withdrawn (*Viscount Stratford de Redcliffe*); short debate thereon *July* 19, 1709

Middlesex Registry
Moved, "That it is incumbent on Her Majesty's Government to institute inquiries with a view to the reform of the Middlesex Registry; and that, pending such inquiries, steps should be taken to put a stop to the receipt of illegal fees by the sinecure Registrars, and to prevent any appointment to the office of Registrar on a vacancy occurring" (*Mr. Childers*) *June* 18, 80; after short debate, Motion withdrawn
Resolved, That it is incumbent on Her Majesty's Government to institute inquiries with a view to the reform of the Middlesex Registry (*Mr. Childers*)

Milbank, Mr. F. A., *Yorkshire, N.R.*
Representation of the People, Comm. Schedule B, Amendt 1282, 1284; Consid. *add. cl.* 1452

Mill, Mr. J. Stuart, *Westminster*
Fulford and Wellstead, Case of, Motion for an Address, 1157
Libel, Re-comm. *add. cl.* 546
Martial Law—Charge of the Lord Chief Justice, Res. 912
Meetings in Royal Parks, 2R. 1888, 1890
Navy—Commodore Wiseman and the Turkish Navy, 1621, 1622, 1873
Representation of the People, Comm. *cl.* A, 635; *add. cl.* 1024, 1026, 1029, 1102; 3R. 1579
Sunday Lectures, 2R. 99

Mills, Mr. J. Remington, *Wycombe* (*Chepping*)
Court of Chancery (Officers), 2R. 1415
West India Bishops and Clergy, 1878

Milton, Viscount, *Yorkshire, W.R.—S.*
Representation of the People, Comm. *cl.* 36, 299

Mines, &c. Assessment Bill
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Re-comm * *June* 25—r.p. [Bill 174]
Re-comm. * *July* 2—r.p.

Mitford, Mr. W. T., *Midhurst*
Representation of the People, Comm. *cl.* 40, 452; *cl.* A, 622

Moldavia—Persecution of Jews
Motion for an Address (*Viscount Stratford de Redcliffe*) *July* 1, 746; after short debate, Motion withdrawn; Explanation, Lord Denman *July* 2, 848
Amendt. on Committee of Supply *July* 5, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of further Correspondence relating to the persecution of Jews in Moldavia" (*Sir Francis Goldsmid*), 1136; Question, "That the words, &c.;" after short debate, Amendt. withdrawn; Question, Mr. Alderman Salomons; Answer, Lord Stanley 2071

Moncreiff, Right Hon. J., *Edinburgh*
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487
Scotland—Education, 343

Monk, Mr. C. J., *Gloucester*
Banns of Matrimony, 2R. 926
County Courts Acts Amendment, Comm. 1914
Crete—Affairs of, 173;—Insurrection in, 269
Meetings in Royal Parks, 2R. 1895

[*cont*.

Monk, Mr. C. J.—*cont.*
  Representation of the People, Comm. *cl.* 40, 483; *add. cl.* 807, 808, 810, 882; Amendt. 1026, 1029, 1036, 1213
  Supply — Embassy House, Constantinople, Amendt. 1705, 1706;—Consuls Abroad, 1900; — Brehon Laws (Ireland), 1905;—Miscellaneous Expenses, 1907

Monsell, Right Hon. W., *Limerick Co.*
  Birmingham Riots, 17, 88
  Ireland—Trinity College, Dublin, Res. Amendt. 58, 73;—Established Church — The Commission, 983;—Taxation, Res. 1302
  Irish Peerage—The Royal Prerogative, Motion for an Address, 1135

Montagu, Right Hon. Lord R. (Vice President of the Committee of Privy Council for Education), *Huntingdonshire*
  Cattle Plague—Cattle Pass, 16;—Importation of Cattle, 350, 666;—Removal of Manure, 1436;—Cattle Trade, 1623
  Contagious Diseases (Animals), 1728
  Education — Inspection of Schools, 170;—School Building Grants, 1187
  Ireland — Charity Commission and Trinity College, Dublin, 169;—Museum of Irish Industry, 1517
  Merton College, 1439
  National Gallery Pictures (South Kensington Museum), Motion for an Address, 539
  Scotland—Education, 321, 343
  Vaccination, 3R. 651

Montgomery, Sir G. G. (Lord of the Treasury), *Peeblesshire*
  Scotland—Collection of Fees, 769;—Steam Ferries between Granton and Burntisland, 1389
  Supply—Board of Fisheries (Scotland), 1904, 1905

Montrose, Duke of (Postmaster General)
  London, Brighton, and South Coast Railway, 1423

More, Mr. R. J., *Shropshire, S.*
  Representation of the People, Consid. *add. cl.* 1451

Morley, Earl of
  Representation of the People, 2R. 1822, 1823

Morrison, Mr. W., *Plymouth*
  Egypt—Viceroy of, Visit of the, 854
  Gurney, George Edward, Case of, 425
  Representation of the People, Comm. *add. cl.* 873, 1074, 1204; Preamble, 1290

Morro Velho Marriages Bill [h.l.]
(*The Earl of Belmore*)
l. Presented; read 1ª * *June* 27 (No. 182)
  Read 2ª * *July* 4
  Committee *; Report *July* 5
  Read 3ª * *July* 8
[*cont.*

Morro Velho Marriages Bill—cont.
c. Read 1° * *July* 18 [Bill 265]
  Read 2° * *July* 19
  Committee * *July* 22—r.p.
  Committee *; Report *July* 23

Mowbray, Right Hon. J. R. (Judge Advocate General), *Durham City*
  Army—Regimental Courts Martial, 16
  Representation of the People, Comm. *cl.* 15, 36, 37, 38, 41, 44

Municipal Corporations Charities Bill
(*Mr. Richard Young, Mr. William E. Forster*)
c. Bill withdrawn * *June* 19 [Bill 60]

Murder Law Amendment Bill
(*Mr. Secretary Walpole, Mr. Attorney General, Mr. Solicitor General*)
c. Bill withdrawn * *July* 22 [Bill 25]

Murphy, Mr. N. D., *Cork City*
  Courts of Law Officers (Ireland), 3R. 1911
  District Lunatic Asylums Officers (Ireland), Comm. *cl.* 3, Amendt. 1915
  Sale of Liquors on Sunday (Ireland), Comm. Amendt. 918

Naas, Right Hon. Lord (Chief Secretary for Ireland), *Cockermouth*
  Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250
  District Lunatic Asylums Officers (Ireland), Leave, 1314, 1316; Comm. *cl.* 2, 1915; *cl.* 3, *ib*
  Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 652
  Industrial Schools (Ireland), Comm. 119
  Ireland—Trinity College, Dublin, Res. 66, 1623;—Defence of Constabulary Barracks, 603;—Case of Dennis Walsh, 605;—Distress in West Galway, 605; — Tyrone Magistrates, 856, 1875;—Established Church—The Commission, 983; —Fenian Drilling in Wicklow, 989;—Carlow Lunatic Asylum, 1189, 1190; —Weights and Measures, 1622; —Landed Estates, Res. 1633;—Habeas Corpus Suspension Act, 2072
  Irish Peerage—The Royal Prerogative, Motion for an Address, 1134
  Sale of Liquors on Sunday (Ireland), Comm. 921
  Supply—Hospitals (Dublin), 1490;—Nonconforming, &c. Ministers (Ireland), 1680;—Queen's University (Ireland), 1707

National Gallery Enlargement Bill
(*The Earl of Devon*)
l. Read 2ª * *June* 18 (No. 150)
  Committee *; Report *June* 21
  Read 3ª * *June* 24
  Royal Assent *July* 15 [30 & 31 *Vict.* c. 41]

National Gallery Pictures (*South Kensington Museum*)
  Moved, "That an humble Address be presented to Her Majesty, that she will be graciously pleased to give directions that there be laid
[*cont.*

National Gallery Pictures (South Kensington Museum)—cont.
before this House, a Copy of the Report of the Committee appointed by the Science and Art Department, to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum" (*Mr. Dillwyn*) *June* 25, 539; after short debate, Motion withdrawn

Naval Knights of Windsor Bill [H.L.]
(*The Earl of Belmore*)
l. Presented; read 1ª * *July* 22 (No. 252)

Naval Stores Bill [H.L.]
(*The Earl of Belmore*)
l. Presented; read 1ª * *June* 18 (No. 160)
Read 2ª * *June* 24
Committee *; Report *June* 25
Read 3ª * *June* 27
c. Read 1º * *June* 28 [Bill 215]
Read 2º * *July* 4
Committee *; Report *July* 8
Considered * *July* 11
Read 3º * *July* 12
Bill withdrawn * *July* 18

Naval Stores (No. 2) Bill
(*The Earl of Belmore*)
l. Read 1ª * *July* 18 (No. 234)
Read 2ª * *July* 22
Committee *; Report *July* 23

Navy
Constitution of the Board of Admiralty, Question, Mr. Seely; Answer, Mr. Corry *July* 4, 980
Contract for Gunboats, Question Mr. Seely; Answer, Mr. Corry *July* 15, 1512
Dockyard Accounts, Question, Mr. Seely; Answer, Mr. Corry *July* 8, 1190
Naval Review, Question, Sir Robert Peel; Answer, The Chancellor of the Exchequer *July* 11, 1396; Question, Mr. Samuda; Answer, Mr. Corry *July* 19, 1724
Naval Squadron (West Coast of Africa), Moved, "That the maintenance of the Naval Squadron on the West Coast of Africa, as it has hitherto been placed, is no longer expedient" (*Sir Hervey Bruce*) *July* 23, 2074; after debate, Motion withdrawn
Reserved Captains, Question, Mr. B. Cochrane; Answer, Mr. Corry *June* 20, 165

NEATE, Mr. C., *Oxford City*
Fulford and Wellstead, Case of, Motion for an Address, 1158
Libel, Re-comm. *cl.* 1, Amendt. 539; *cl.* 4, 544; *add. cl.* 545
Meetings in Royal Parks, 2R. 1882
"Mermaid," Destruction of the Ship, Motion for an Address, 1754
Poor Law Board, Comm. 1417
Representation of the People, Comm. *cl.* 29, 208; *cl.* 40, 466, 482; Motion for Adjournment, 484, 486; *cl.* 43, 514; *add. cl.* 792, 795, 796, 808, 810, 892; Consid. *cl.* 3, 1458; *cl.* 46, 1470
Trades Union Commission Act Extension, Comm. 1408

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, E.*
Representation of the People, Comm. *cl.* 31, 535; *add. cl.* 841, 872, 883, 897; Schedule D, Amendt. 1289
Supply—Royal Parks, &c. 1692;—Houses of Parliament, 1695;—Agricultural Statistics, 1906
Trades Union Commission Act Extension, Comm. *cl.* 1, 1413

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
County Courts Acts Amendment, Comm. *cl.* 7, 1912; *cl.* 29, 1914
Ecclesiastical Titles Act Repeal, 507
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. Motion for Adjournment, 487, 652
Increase of the Episcopate, 2R. 1653
Ireland—Trinity College, Dublin, Res. 79
Meetings in Royal Parks, 2R. 1888; Comm. 2033
Parliament—Public Business, 776
Representation of the People, Comm. *cl.* 29, 220; *cl.* 40, 447; *cl.* 31, 530; *cl.* A, 617; *add. cl.* 784, 1088, 1093, 1195, 1226, 1238; Consid. *add. cl.* 1449; *cl.* 3, 1455; 3R. 1593
* Roman Catholic Churches, Schools, &c. (Ireland), 2R. Amendt. 943
Tests Abolition (Oxford and Cambridge), 3R. 85

New Members Sworn
July 22—Sir John Burgess Karslake, Knight, *Andover*
July 23—Charles Jasper Selwyn, *Cambridge University*

New Parishes and Church Building Acts Amendment Bill [H.L.]
(*The Archbishop of York*)
l. Read 2ª * *June* 25 (No. 146)

New Writs Issued
July 16—*For* Gloucester County (Western Division), *v.* Sir John Rolt, Knight, one of the Judges of the Court of Appeal in Chancery
For Andover, *v.* Sir John Burgess Karslake, Knight, Attorney General
For Cambridge University, *v.* Charles Jasper Selwyn, esq., Solicitor General
For Coventry, *v.* Morgan Treherne, esq., deceased
For Birmingham, *v.* William Scholefield, esquire, deceased

New Zealand—Withdrawal of Troops
Moved, "That an humble Address be presented to Her Majesty, for a Return of the Regiments in New Zealand since the 1st January, 1865, and the Dates of their Embarkation" (*The Earl of Carnarvon*) *July* 15, 1496; after short debate, Motion agreed to

NICOL, Mr. J. Dyce, *Kincardineshire*
Storm Warnings, Res. 1732

North, Colonel J. S., *Oxfordshire*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 4, 558
Volunteers, Res. 736

Northcote, Right Hon. Sir S. H. (Secretary of State for India), *Devonshire, N.*
Abyssinia—Expedition to, 1512
Army—Captain Jervis and the Simla Court Martial, 608, 776
India—Indian Securities, 172; —Metric System of Weights and Measures, 856 ;—Railways, 1192 ;—Land Revenues, 1395 ;—Covenanted Educational Service in Bombay, Motion for an Address, 1485 ;—Famine in Orissa, 1515
India Office—State Entertainment to the Sultan, 1624, 1669, 1727

Norwood, Mr. C. M., *Kingston-upon-Hull*
Bankruptcy, Comm. 1416
Investment of Trust Funds, Comm. *add. cl.* 1654

O'Beirne, Mr. J. L., *Cashel*
Army—Medical Officers of the Guards, 1514
Ireland—Landed Estates, Res. 1628
Land Tenure (Ireland), 2R. 569
Libel, Re-comm. *add. cl.* 548
Railway Accident at Warrington, 1518, 1667
Railways (Guards' and Passengers' Communication), Comm. 554 ; *cl.* 4, 558
Supply—Royal Parks, &c. 1690

O'Brien, Sir P., *King's Co.*
Prison Ministers Act, 1769
Supply—Royal Parks, &c. 1692

O'Conor Don, The, *Roscommon Co.*
Industrial Schools (Ireland), Comm. 119
Ireland—Trinity College, Dublin, Res. 64, 1623

O'Donoghue, The, *Tralee*
Ireland—Representation of, Res. 712
Trades Unions Commission—Mr. Conolly, 1438

Office of Judge in the Admiralty, Divorce, and Probate Courts Bill [H.L.]
(*The Lord Chancellor*)
c. Presented ; read 1° * *June* 20 [Bill 203]

Offices and Oaths Bill
(*The Earl of Kimberley*)
l. Committee *July* 11, 1367 (No. 218)
Report * *July* 16
Read 3ᵃ * *July* 19
Royal Assent *August* 12 [30 & 31 *Vict.* c. 75]

O'Loghlen, Sir C. M., *Clare Co.*
County Courts Acts Amendment, Comm. *cl.* 9, 1913
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250 ; 3R. 1911
Ireland—Weights and Measures, 1622
[*cont.*

O'Loghlen, Sir C. M.—*cont.*
Irish Peerage—The Royal Prerogative, Motion for an Address, 1127
Land Tenure (Ireland), 2R. 560, 585
Libel, Re-comm. *cl.* 1, 541 ; *cl.* 4, Amendt. 543 ; *add. cl.* 544, 546, 548
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 941, 956, 961
Supply—Nonconforming, &c. Ministers (Ireland), 1676 ;—Royal Parks, &c. 1690 ;—Houses of Parliament, 1695 ;—Agricultural Statistics, 1906 ;—Miscellaneous Expenses, 1908

O'Neill, Mr. E., *Antrim Co.*
Supply—Nonconforming, &c. Ministers (Ireland), 1679

O'Reilly, Mr. M. W., *Longford Co.*
Civil Servants' Half Holiday, 773
Land Tenure (Ireland), 2R. 581
Martial Law—Charge of the Lord Chief Justice, Res. 899, 918
Sale of Liquors on Sunday (Ireland), Comm. 921

Osborne, Mr. R. B., *Nottingham*
County Courts Acts Amendment, Comm. *cl.* 29, 1914
Naval Review, The, 1521
Representation of the People, Comm. *cl.* 15, Amendt. 29, 42, 202 ; *add. cl.* 615, 895 ; Consid. *add. cl.* 1443, 1448 ; 3R. 1581, 1593

Ossory, Bishop of
Convocation and the Commission on Ritualism, 1180
Ireland—Established Church, Motion for an Address, Amendt. 390

Otway, Mr. A. J., *Chatham*
Army—The Simla Court Martial, 770
Meetings in Royal Parks, 2R. 1893, 1894
Mexico—Fate of the Emperor Maximilian, 1394

Overstone, Lord
Convocation and the Commission on Ritualism, 1181
Volunteers, Employment of, in Civil disturbances, 760

Oxford and Cambridge Universities Education Bill [Bill 71]
(*Mr. Ewart, Mr. Neate, Mr. Pollard-Urquhart*)
c. Select Committee nominated ; List of the Committee *June* 26, 585

Oxford, Bishop of
Book of Common Prayer, Address for Papers, 1431, 1432
Consecration of Churchyards, Comm. *cl.* 1, 1163, 1165
Convocation and the Commission on Ritualism, 1179
Increase of the Episcopate, 3R. 246, 251, 256
Ritualism—The Royal Commission, 123

Packe, Mr. C. W. *Leicestershire, S.*
Representation of the People, Comm. *cl.* 40, 463

Pakington, Right Hon. Sir J. S. (Secretary of State for War), *Droitwich*
Army—Promotion in the, 168, 169 ;—Lieutenant Colonels of Cavalry, 429 ;—Conveyance of Troops from Chatham to Liverpool, 604 ; —Captain Jervis and the Simla Court Martial, 606 ;—Case of Colour Sergeant Connell, 852 ;—Report of the Transport Commission, 855 ;—Camps at Aldershot and Colchester, 987 ;—Medical Officers, Res. 1144 ;—March of Troops to Hounslow, 1191, 1391, 1392 ; Explanation, 1523, 1526 ;—Staff Officers of Pensioners, 1390 ;—Army Medical Warrant of 1858, *ib.* ;—The 13th Hussars, 1393 ;—Medical Officers of the Guards, 1514 ;—Knightsbridge Barracks, 1515 ;—Snider Rifle, 1517 ;—Increase of Pay, 1874
Birmingham—Riots at, 174, 428
India—Central India Prize Money, 983
Metropolis—Hyde Park Review, 772, 985
Mexico—Fate of the Emperor Maximilian, 985
Parliament—Business of the House, 1523
Representation of the People, Comm. *cl.* 29, 199, 201
Street Outrages—The Militia, 87
Supply—Volunteers, Report, 846
Volunteers, Res. 738, 749

Palk, Sir L., *Devonshire, S.*
Education—School Building Grants, 1187
Mexico—Fate of the Emperor Maximilian, 986, 1393
Representation of the People, Comm. *cl.* A, 620 ; *add. cl.* 1271 ; Schedule B, 1283
Supply—Volunteers, Report, 845

Palmer, Sir R., *Richmond*
County Courts Acts Amendment, Comm. *cl.* 7, 1912
Court of Chancery (Officers), 2R. 1414
Increase of the Episcopate, 2R. 1637, 1878
Investment of Trust Funds, Comm. *add. cl.* 1653, 1654
Middlesex Registry, Res. 81
Parliament—Business of the House, 1877
Representation of the People, Comm. *cl.* 18, 49 ; *cl.* 29, 194, 200 ; *cl.* 36, 296 ; *cl.* 40, 303 ; Amendt. 437, 450, 453, 454, 456, 460, 484 ; *cl.* 43, Amendt. 509, 521, 522 ; *add. cl.* 613 ; *cl.* A, 621 ; *add. cl.* 1027, 1028, 1030, 1203 ; Schedule D, Amendt. 1288 ; Preamble, 1291 ; Consid. *cl.* 46, 1471, 1472 ; Schedule F, Amendt. 1475
"Tornado," Case of the, 2052
Trades Union Commission Act Extension, Comm. *cl.* 1, 1411

Paris Universal Exhibition, 1867
Select Committee appointed, "to consider and report on the advisability of making purchases from the Paris Exhibition for the benefit of the Schools of Science and Art in the United Kingdom, and any other means of making that Exhibition useful to the manufacturing industry of Great Britain and Ireland" (*Mr. Layard*) *June* 20, 238 ; List of the Committee
Question, Mr. Layard ; Answer, The Chancellor of the Exchequer *July* 23, 2074

Parker, Major Windsor, *Suffolk, W.*
Representation of the People, Comm. *add. cl.* 1026

Parliament

LORDS—

Business of the House, Motion for Returns of Attendance of Peers, Measures passed, Number of Divisions, &c. (*Lord Lyveden*) *June* 20, 129 ; after debate, Motion withdrawn
Meeting of the House, Select Committee appointed "to inquire into the Expediency of making such arrangements as shall enable the House to meet at Four o'Clock instead of Five o'Clock for the Despatch of Business, and to consider if any and what Changes may be desirable for the better Transaction of the Business of the House" (*The Earl of Shaftesbury*) *June* 21, 262 ; List of the Committee, 265
Standing Orders — Parliamentary Deposits, Select Committee appointed to join with a Committee of the Commons to consider the Act 9th and 10th Vict. Cap. 20. and the Standing Orders of both Houses in relation to Parliamentary Deposits and for securing the Completion of Railways within a prescribed Time, and to report what Alterations it is expedient to make therein for the present and for the ensuing Session : The Lords following were named of the Committee :— D. Richmond, V. Eversley, L. Redesdale, L. Portman, L. Stanley of Alderley ; and a Message sent to the Commons (*The Chairman of Committees*) *June* 21, 265
Message from the Commons to acquaint this House, That they have appointed a Select Committee of Five Members to join with the Select Committee appointed by this House *June* 25, 506
Construction of the House, Moved, "That a Select Committee be appointed to consider whether any and what arrangements can be made to remedy the present defective Construction of the House in reference to Hearing" (*The Earl of Carnarvon*) *June* 28, 653 ; after short debate, Motion agreed to ; List of the Committee, 660
Order—Notice of Questions, Observations, Lord Redesdale *July* 9, 1254

COMMONS—

Morning Sittings, Question, Mr. B. Cochrane ; Answer, The Chancellor of the Exchequer *June* 28, 664 ; Moved, "That the Standing Orders (19th July, 1854, and 21st July, 1856), relative to the Morning Sittings be read, and further suspended" (*Mr. Chancellor of the Exchequer*) *July* 1, 774 ; Resolutions agreed to [and other Resolutions] ; Observations, The Chancellor of the Exchequer *July* 5, 1068 ; Questions, Mr. Bruce ;
[*cont.*

PARLIAMENT—COMMONS—*cont.*

Answer, The Chancellor of the Exchequer; short debate thereon *July* 15, 1521; Moved, "That, on Thursday and Friday next, this House will meet at Twelve o'clock, subject to the Standing Orders relating to sittings of the House on Wednesday" (*Mr. Chancellor of the Exchequer*) *July* 16, 1626; after short debate, Motion agreed to; Statement, The Chancellor of the Exchequer; short debate thereon *July* 22, 1875

Members' Seats in this House, Observations, Mr. Darby Griffith; Reply, Mr. Speaker *June* 20, 160

Privilege—Alteration of Notices of Questions, Question, Mr. Whalley; Answer, The Chancellor of the Exchequer *July* 5, 1065

Signatures to a Petition, Moved, "That the Order of the 26th Day of June, that the Petition of 'Inhabitants of Halifax and its environs' do lie upon the table, be read, and discharged; and that the Petition be rejected" (*Mr. Charles Forster*) *July* 5, 1124; after short debate, Petition rejected

Standing Orders — Parliamentary Deposits, Moved, "That a Select Committee of Five Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of the 21st day of June, to consider the Act 9 and 10 Vic. c. 20, and the Standing Orders of both Houses in relation to Parliamentary Deposits, and the completion of Railways within a prescribed time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session" (*Mr. Dodson*) *June* 24, 424; Motion agreed to: And a Message sent to the Lords; List of the Committee

House of Commons (Arrangements) Moved, That a Select Committtee be appointed "to consider whether any alteration can be made in the internal arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in the proceedings" (*Mr. Headlam*) *June* 25, 536; Amendt. to leave out "internal" (*Lord John Manners*) agreed to; main Question, as amended, put, and agreed to; Select Committee appointed; List of the Committee, 538

Hyde Park Review, Question, Captain Vivian; Answer, Lord John Manners *July* 1, 772

St. Stephen's Crypt, Question, Mr. Whalley; Answer, Lord John Manners *July* 12, 1486

Parliamentary Reform (see *Representation of the People Bill*)

Patriotic Fund Bill [H.L.]
(*The Earl of Longford*)
l. Presented; read 1^{a} * *July* 4 (No. 201)
Moved, "That the Bill be now read 2^{a}" (*The Earl of Longford*) *July* 9, 1255; Bill read 2^{a}
Committee * *July* 16
Report * *July* 18
Read 3^{a} * *July* 19

PATTEN, Colonel J. W., *Lancashire, N.*
Poor Law Board, Comm. 1419
Representation of the People, Consid. *add. cl.* 1452
Trades Union Commission Act Extension, Comm. *cl.* 1, 1413

PAULL, Mr. H., *St. Ives*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 4, 557, 558; 3R. 847
Representation of the People, Comm. *cl.* 31, 610; *cl.* A, 618, 623; *add. cl.* 1011

PEASE, Mr. J. W., *Durham, S.*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 4, 558
Representation of the People, Comm. *cl.* 40, 458, 666; *add. cl.* 890; Schedule B, Amendt. 1281; Consid. *add. cl.* 1451

PEEL, Right Hon. Sir R., *Tamworth*
"Mermaid," Destruction of the Ship, Motion for an Address, 1755
Naval Review, The, 1396
Representation of the People, Comm. *add. cl.* 1238, 1241
Supply—Queen's University (Ireland), 1707

PEEL, Right Hon. Lt.-Gen. J., *Huntingdon*
Parliament—Public Business, 778
Representation of the People, Comm. *add. cl.* 838
Volunteers, Res. 740

PEEL, Mr. A. W., *Warwick*
Representation of the People, Comm. *add. cl.* Amendt. 1236

PEEL, Mr. J., *Tamworth*
Representation of the People, Comm. *add. cl.* 1235

Petit Juries (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Bill withdrawn * *July* 22 [Bill 158]

PETO, Sir S. M., *Bristol*
Railways (Guards' and Passengers' Communication), Comm. 554; *cl.* 1, 556

Pier and Harbour Orders Confirmation (No. 2) Bill (*The Duke of Richmond*)
l. Report of Select Committee *June* 28
Committee * *July* 9 (No. 187)
Report * *July* 11
Read 3^{a} * *July* 15
Royal Assent *August* 12 [30 & 31 *Vict.* c. 61]

Pier and Harbour Orders Confirmation (No. 3) Bill (*The Duke of Richmond*)
l. Presented; read 1^{a} * *June* 18 (No. 161)
Read 2^{a} * *June* 20
Committee * *June* 21
Report * *June* 27
Read 3^{a} * *June* 28
Royal Assent *July* 15 [30 & 31 *Vict.* c. 73]

Pim, Mr. J., *Dublin City*
Irish Peerage—The Royal Prerogative, Motion for an Address, 1134
Mauritius—Fever in the, 1192
Representation of the People, Comm. *cl.* 29, Amendt. 177, 180 ; *add. cl.* 810, 1200

Policies of Insurance (*now* **Policies of Assurance**) **Bill**
(*The Marquess of Clanricarde*)
l. Committee* *June* 18 (No. 152)
Report * *June* 20
Read 3ª * *June* 25

Pollard-Urquhart, Mr. W., *Westmeath Co.*
Ireland—Taxation, Res. 1300 ;—Landed Estates, Res. 1637
Irish Peerage—The Royal Prerogative, Motion for an Address, 1131
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 958
Supply—Special Missions, 1902

Poor Law
Frost—Case of the Pauper, Question, Sir John Simeon ; Answer, Mr. Sclater-Booth *June* 27, 605
Infection—Sanitary Act of 1866—Case of Emanuel Cook, Question, Sir J. Clarke Jervoise; Answer, Mr. Gathorne Hardy *July* 2, 852
Metropolitan Poor Relief Act—Nominees, Question, Viscount Enfield ; Answer, Mr. Sclater-Booth *June* 24, 425
Rating of Charities and Schools, Question, Mr. J. A. Smith ; Answer, Mr. Gathorne Hardy *June* 21, 266 ; Question, Viscount Sydney ; Answer, The Earl of Malmesbury *July* 1, 745

Poor Law Board, &c. Bill
(*Mr. Sclater-Booth, Mr. Secretary G. Hardy*)
c. Read 2º * *June* 20 [Bill 193]
Committee * *July* 11, 1417—R.P.
Committee * *July* 22 [Bill 271]
Question, Mr. T. B. Potter ; Answer, Mr. Sclater-Booth *July* 22, 1874

Portman, Lord
Consecration of Churchyards, Comm. *cl.* 1, Amendt. 1163
Friendly Societies, Motion for Returns, 127, 128

Portsmouth, Earl of
Consecration of Churchyards, Comm. *cl.* 1, 1164 ; Report, *add. cl.* 1427

Post Office
Arrangements, Question Mr. Warner ; Answer, Mr. Hunt *July* 8, 1190
Conveyance of Mails to Nassau, &c., Question, Mr. Graves ; Answer, Mr. Hunt *June* 27, 603
Foreign Postal Conventions, Question, Mr. Hadfield ; Answer, The Chancellor of the Exchequer *July* 8, 1186
Private Postal Service, Question, Mr. Baxter ; Answer, Mr. Hunt *July* 11, 1391 [*cont.*

Post Office—cont.
Telegraphic and Postal Systems, Question, Mr. Childers ; Answer, The Chancellor of the Exchequer *July* 15, 1512 ; Question, Mr. Akroyd ; Answer, Mr. Hunt *July* 16, 1621

Potter, Mr. T. B., *Rochdale*
Poor Law Bill, 1874

Powell, Mr. F. S., *Cambridge*
Libel, Re-comm. *add. cl.* 545
Representation of the People, Comm. *cl.* 15, 41 ; *cl.* 17, Amendt. 48 ; *cl.* 18, 50 ; *cl.* 31, 532 ; *cl.* A, 619 ; Amendt. 621 ; *add. cl.* 801 ; Amendt. 806, 810, 811 ; Amendt. 1018, 1021 ; Amendt. 1030 ; Consid. *cl.* 3, Amendt. 1453 ; *cl.* 21, Amendt. 1460
Sunday Lectures, 2R. 116
Trades Union Commission Act Extension, Comm. 1407 ; *cl.* 1, 1413

Powis, Earl of
Brown's Charity, 2R. 502
Limerick Harbour (Composition of Debt), 2R. 5 ; Comm. 1183

Price, Mr. W. P., *Gloucester*
Railways (Guards' and Passengers' Communication), Comm. *cl.* 4, 557
Representation of the People, Comm. *add. cl.* 884

Prison Ministers Act
Observations, Mr. MacEvoy ; Reply, Mr. M'Laren *July* 19, 1765

Promissory Notes and Bills of Exchange Bill (*Sir Colman O'Loghlen, Mr. Pim*)
c. Ordered ; read 1º * *July* 2 [Bill 224]
Bill withdrawn * *July* 11

Prorogation of Parliament Bill [H.L.]
(*The Lord Chancellor*)
l. Presented ; read 1ª * *July* 16 (No. 228)
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *July* 18, 1660 ; after short debate, Bill read 2ª
Committee * ; Report *July* 19
Read 3ª * *July* 22

Public Health (Scotland) Bill
(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt*)
c. Re-comm. * ; Report *July* 15 [Bill 251]

Public Libraries (Scotland) Acts Amendment Bill (*The Earl of Airlie*)
l. Royal Assent *July* 15 [30 & 31 *Vict.* c. 37]

Public Records (Ireland) Bill
(*Lord Naas, Mr. Attorney General for Ireland*)
c. Committee * *June* 27—R.P. [Bill 185]
Re-comm. * ; Report *June* 28
Considered * *July* 2
Read 3º * *July* 3
[*cont.*

Public Records (*Ireland*) *Bill*—cont.
l. Read 1ª * (*The Earl of Belmore*) *July* 4
Read 2ª * *July* 8 (No. 204)
Committee * *July* 9 (No. 210)
Report * *July* 12
Read 3ª * *July* 15
Royal Assent *August* 12 [30 & 31 *Vict.* c. 70]

Public Works (Ireland) Bill
(*Lord Naas, Mr. Attorney General for Ireland, Mr. Dick*)
c. Ordered ; read 1° * *July* 18 [Bill 262]

Queen Anne's Bounty Office
Question, Mr. Bouverie ; Answer, Mr. Gathorne Hardy *July* 16, 1623

Railway and Joint Stock Companies' Accounts Bill (*Sir W. Hutt, Mr. Ellice*)
c. Read 2° * *July* 10 [Bill 188]
Committee * ; Report *July* 15 [Bill 252]
Bill withdrawn * *July* 19

Railway Bills—"Pre-Preference Capital"
Observations, Lord Redesdale *June* 18, 1

Railway Companies Bill
(*The Duke of Richmond*)
l. Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *June* 25, 489 ; after short debate, Bill read 2ª, and referred to a Select Committee ; and, on *June* 27, Select Committee nominated; List of the Committee, 491 (No. 159)
Question, Mr. Dillwyn ; Answer, Mr. S. Cave *July* 16, 1626
Report of Select Committee *July* 22 (No. 249)

Railway Companies (Scotland) Bill [H.L.]
(*The Duke of Richmond*)
l. Presented ; read 1ª * *June* 25 (No. 179)
Read 2ª * *July* 1, and referred to the Select Committee on "Railway Companies Bill"
Report of Select Committee *July* 22 (No. 250)

Railway Companies Winding-up (Ireland) Bill (*Mr. Lawson, Sir Colman O'Loghlen, Mr. Sullivan*)
c. Bill withdrawn * *June* 25 [Bill 101]

Railways (Guards' and Passengers' Communication) Bill
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
c. Committee * *June* 18 [Bill 39]
Order read, for resuming Adjourned Debate on Question [18th June], "That Mr. Speaker do now leave the Chair" *June* 25, 552 ; after short debate, Question, "That Mr. Speaker do now leave the Chair," put, and agreed to ; Bill considered in Committee and reported
Considered * *June* 28
Moved, "That the Bill be now read 3°" (*Mr. H. B. Sheridan*) *July* 1, 847

[*cont.*

Railways (*Guards' and Passengers' Communication*) *Bill*—cont.
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Serjeant Gaselee*) ; after short debate, Question, "That 'now' &c. ;" A. 43, N. 5 ; M. 38 ; main Question put, and agreed to ; Bill read 3°
l. Read 1ª * (*Lord Stanley of Alderley*) *July* 2 (No. 197)
Moved, "That the Bill be now read 2ª" (*The Lord Stanley of Alderley*) *July* 9, 1257 ; after short debate, Bill read 2ª ; then it was moved that the Bill be referred to a Select Committee ; Objected to ; and on Question resolved in the affirmative, and Bill referred to a Select Committee accordingly ; List of the Committee, 1261

Railways (Scotland) Bill
(*The Duke of Richmond*)
l. Presented ; read 1ª * *June* 18 (No. 162)
Read 2ª * *June* 25

Railways — Standing Orders — Parliamentary Deposits
l. Message from the Commons to acquaint this House, That they have appointed a Select Committee of Five Members to join with the Select Committee appointed by this House *June* 25, 506
c. Moved, "That a Select Committee of Five Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of the 21st day of June to consider the Act 9 and 10 Vic. c. 20, and the Standing Orders of both Houses in relation to Parliamentary Deposits, and the completion of Railways within a prescribed time, and to report what alterations it is expedient to make therein for the present and for the ensuing Session" (*Mr. Dodson*) *June* 24, 424 ; Motion agreed to ; List of the Committee

RAVENSWORTH, Lord
Representation of the People, 2R. 1817

READ, Mr. C. S., *Norfolk, E.*
Cattle Plague—Compensation for Slaughtered Cattle, 1668
Land Tenure (Ireland), 2R. 582
Representation of the People, Comm. *cl.* 40, 466
Supply—Inspection of Corn Returns, 1905 ;—Agricultural Statistics, 1906, 1907
Traffic Regulations—Waggons and Drays, 428

Real Estate Charges Act Amendment Bill
(*Mr. Locke King, Sir Roundell Palmer, Mr. Headlam*)
c. Read 2° * *June* 18 [Bill 181]
Committee * ; Report *June* 24
Considered * *June* 26
Read 3° * *June* 27
l. Read 1ª * (*The Lord Cranworth*) *June* 28
Read 2ª * *July* 9 (No. 191)
Committee * ; Report *July* 11
Read 3ª * *July* 15
Royal Assent *July* 25 [30 & 31 *Vict.* c. 69]

Rebow, Mr. J. G., *Colchester*
Representation of the People, Comm. *cl.* 29, 209; Consid. *cl.* 42, Amendt. 1462

Recovery of Certain Debts (Scotland) Bill
(*The Lord Chancellor*)
l. Committee *; Report *June* 25 (No. 181)
Read 3ª* *July* 1
c. Read 1°* *July* 2 [Bill 220]
Read 2°* *July* 4

Redesdale, Lord (Chairman of Committees)
Army—March of Troops to Hounslow, 1495
Galway Harbour (Composition of Debt), 2R. 964, 965; Comm. 1256
Local Government Supplemental (No. 5), Comm. 1619
London, Brighton, and South Coast Railway, 1422, 1424
Meetings in Royal Parks, 2R. 1425, 1709
Parliament—Business of the House, Motion for Returns, 139;—Notice of Questions, 1254
Railway Bills—Pre-preference Capital, 1
Railway Companies, 2R. 491

Reformatory and Industrial Schools
Question, Mr. Candlish; Answer, Mr. Gathorne Hardy *June* 24, 426

Reformatory Schools Amendment Bill
[H.L.] (*The Marquess Townshend*)
l. Presented; read 1ª* *July* 19 (No. 245)

Registration of Deeds (Ireland) Bill
Moved, That a Select Committee be appointed "to inquire into the amount of Fees paid into the office for the Registration of Deeds in Ireland, and the application of those fees" (*General Dunne*) *July* 18, 1670; after short debate, Motion withdrawn

Representation of the People Bill
Boundary Commissioners, Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *June* 18, 17; Question, Sir Edward Buller; Answer, The Chancellor of the Exchequer *June* 20, 176; Question, Sir Edward Buller; Answer, The Chancellor of the Exchequer *June* 21, 266
Registration Clauses, Question, Mr. Liddell; Answer, The Chancellor of the Exchequer *June* 18, 18
Statistics, Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer *June* 27, 608
Schedule D, Question, Mr. Pease; Answer, The Chancellor of the Exchequer *June* 28, 666
The Lodger Franchise, Question, Mr. Gladstone; Answer, The Attorney General *June* 28, 667
Area of the New Boroughs, Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer *July* 1, 774
The Ratepaying Clause, Question, Mr. Denman; Answer, The Chancellor of the Exchequer *July* 2, 854
[*cont.*

Representation of the People Bill—cont.
Re-distribution of Seats, Question, Mr. Whalley; Answer, The Chancellor of the Exchequer *July* 9, 1263
The Debate of July 22, Personal Explanation, The Earl of Carnarvon *July* 23, 1916

Representation of the People Bill [Bill 79]
(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Secretary Lord Stanley*)
c. Committee *June* 18, 18
Clause 15 (University of London to return One Member)
Clause 16 (Electors for Members of the University of London)
Clause 17 (Successive Occupation)
Clause 18 (Joint Occupation in Counties)
Clause 19 (Registration of Voters)
Clauses 20 and 21 omitted
Clause 22 (Courts for the Election for Members for Counties)
Clause 23 (Provision for increasing Polling Places in Counties)
Clause 24 Rooms to be hired wherever they can be obtained)—R.P.
Committee *June* 20, 176
Clause 24 (Rooms to be hired wherever they can be obtained)
Clause 25 (Vice Chancellor of the University of London to be the Returning Officer)
Clauses 26, 27, and 28, agreed to
Clause 29 (Electors may Vote by Voting Papers)—R P.
Committee *June* 21, 269
Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of New Boroughs, and report if Enlargement necessary)
Clause 32 (Polling Booths, at which certain Voters are to Poll), struck out
Clause 33 (Repeal of Proviso to 6 *Vict.* c. 18)
Clauses 34 and 35, struck out
Clause 36 (Corrupt Payment of Rates to be punishable as bribery), 290
Clause 37 (Members holding Offices of Profit from the Crown are not required to vacate their Seats on Acceptance of other Offices), 300
Clause 38 (Provision in Case of Separate Registers) postponed, 302
Clause 39 (Temporary Provisions consequent on Formation of New Boroughs) agreed to, 303
Clause 40 (General Saving Clause)—R.P.
Committee *June* 24, 430
Clause 40 (General Saving Clause)
Clause 41 (Writs, &c., to be made conformable to this Act), agreed to
Clause 42 (Construction of Act)—R.P. 486
Committee *June* 25, 508
Clause 42 (Construction of Act)
Clause 43 (Interpretation of Terms), 509
Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of new Boroughs, and report if Enlargement necessary)—R.P. 522
Committee *June* 27, 609
Clause 31 (Inclosure Commissioners to appoint Assistant Commissioners to examine Boundaries of New Boroughs, and report if Enlargement necessary)
New Clause (Members not to Vacate their Seats on Transfer to another office), 612
[*cont.*

Representation of the People Bill—cont.
Clause A (Provision for increased Polling Places), 616
Clause B (Rooms to be hired wherever they can be obtained), 647
Clause C (Amendment as to time for delivery of Lists and commencement of Register of Voters)
Clause D (Amendment of Oath to be taken by Poll Clerk)
Clause E (Receipt of Parochial Relief)—R.P. 648
Committee *June* 28, 668
New Clause (Mode of demanding Rates) — R.P. 668
Committee *July* 1, 792
New Clause (No elector who has been employed for reward at an Election to be entitled to vote), 798
New Clause (Certain Boroughs to return Three Members)—R.P. 813
Committee *July* 2, 857
New Clause (Certain Boroughs to return Three Members)
New Clause (Payment of expenses of conveying Voters to the Poll illegal)—R.P.
Committee *July* 4, 990
New Clause (No Committee of any Candidate, to meet in any Hotel, &c.), 1019
New Clause (Power to distribute Votes)—R.P. 1042
Committee *July* 5, 1068
New Clause (Power to distribute Votes)—R.P.
Committee *July* 8, 1193—R.P.
Committee *July* 9, 1264
New Schedule (A) (Boroughs to return One Member only in future Parliaments), 1279
New Schedule (B) (New Boroughs to return One Member each), 1281
New Schedule (C) (New Boroughs formed by Division of the Borough of the Tower Hamlets), 1285
New Schedule (D) Counties to be divided), 1285
Schedule E (Form of Claim for Lodgers), 1289
Schedule X (Notice to Occupants in respect of Poor Rates); Preamble agreed to
Report *July* 9, 1291 [Bill 237]
Bill, as amended, considered *July* 12, 1439
New Clause (Voting to be by printed papers placed in a glass urn or box), 1443
New Clause (Definition of "Expenses of Registration"), 1447
New Clause (Copy of Reports of Commissioners to be evidence)
New Clause (Convictions for felony and certain other offences to disqualify persons from voting)
New Clause (No under sheriff, acting under sheriff, &c. to act as agent in the election of any Member for a City or Borough), 1451
New Clause (Issue of Writs to County Palatine of Lancaster), 1452
New Clause (Overseers to make out a list of Persons in arrear of Rates)
Clause 2 (Application of Act)
Clause 3 (Occupation Franchise for Voters in Boroughs)
Clause 5 (The Occupier to be rated in Boroughs and not the owner), 1458
Clause 10 (Persons reported guilty of Bribery in Lancaster disqualified as Voters for County of Lancaster in respect of Qualification arising in said Borough), 1459
Clause 21 (Electors for Members of the University of London), 1460
Clause 23 (Joint Occupation in Counties)
Clause 27 (Provision for Increased Polling-Places)
Clause 29 (Payment of Expenses of conveying Voters to the Poll illegal), 1461
Clause 42 (Corrupt Payment of Rates to be punishable as Bribery), 1462
Clause 46 (General Saving Clause)
New Schedule (F) brought up; read 1^{o} and 2^{o}, 1475
Schedule B (New Boroughs), 1477
Schedule C (New Boroughs formed by Division of the Borough of the Tower Hamlets), 1479
Schedule D (Counties to be divided), 1481
Moved, "That the Bill be now read 3^{o}" *July* 15, 1526; Question put, and agreed to; Bill read 3^{o}; Bill passed [Bill 250]
l. Presented (*The Earl of Derby*); read 1^{a} *July* 16, 1615 (No. 227)
Moved, "That the Bill be now read 2^{a}" (*The Earl of Derby*) *July* 22, 1774
Amendt. to leave out from ("That") to the end of the Motion, and insert ("The Representation of the People Bill does not appear to this House to be calculated in its present Shape to effect a permanent Settlement of this important Question, or to promote the future good Government of the Country; but the House, recognizing the urgent Necessity for the passing of a Bill to amend the existing system of Representation, will not refuse to give a Second Reading to that which has been brought to it from the House of Commons, in the hope that in its future stages it may be found possible to correct some of its Faults, and to render it better fitted to accomplish the proper Objects of such a Measure") (*The Earl Grey*), 1803; after long debate, Moved, "That the Debate be now adjourned" (*The Earl of Shaftesbury*); further debate adjourned
Order for resuming adjourned Debate read *July* 23, 1916; after long debate, on Question, Whether the words proposed to be left out shall stand part of the Motion? it was resolved in the affirmative; original Motion agreed to; Bill read 2^{a}

Representation of the People (*Ireland*)
Amendt. on Committee of Supply *June* 28, To leave out from "That," and add "this House considers it essential to the satisfactory settlement of the Question of Parliamentary Reform that there should be an amendment of the Law relating to the Representation of the People in Ireland as well as in the other portions of the United Kingdom; and considers it desirable that, in accordance with the promise of the Chancellor of the Exchequer, the Government should introduce their Bill upon that subject during the present Session" (*Mr. Chichester Fortescue*), 703; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Representation of the People (Ireland) Bill (*Colonel French, Mr. Marsh*)
c. Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer *June* 18, 17
Bill withdrawn* *June* 28 [Bill 115]

Representation of the People (Scotland) Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
c. Question, Mr. Baxter; Answer, The Chancellor of the Exchequer *July* 5, 1067
Question, Sir Andrew Agnew; Answer, The Chancellor of the Exchequer *July* 22, 1897
Read 2°* *July* 22 [Bill 146]

Repton, Mr. G. W. J., *Warwick*
Representation of the People, Comm. *add. cl.* 1235

Richmond, Duke of (President of the Board of Trade)
Merchant Shipping, 2R. 849
Metropolis—London Water Supply, 1496
Railway Companies, 2R. 489
Railways (Guards' and Passengers' Communication), 2R. 1259, 1261
Representation of the People, 2R. 1960

Ridley, Sir M. W., *Northumberland, N.*
Representation of the People, Comm. *cl.* 15, 22, 24, 35; *cl.* A, 618, 633, 1024
Supply—Houses of Parliament, 1700

Ritualism—see *Church of England*

Robertson, Mr. D., *Berwickshire*
Representation of the People, Comm. *cl.* 40, 456; *add. cl.* 806

Roebuck, Mr. J. A., *Sheffield*
Egypt—Viceroy of, Visit of the, 854
Representation of the People, Comm. *cl.* 15, 43; *cl.* 31, 288; *cl.* 36, 291, 295, 296, 297, 299; *cl.* 40, 437, 450, 452, 455; *add. cl.* 669, 670, 672, 673, 676, 678, 806; Motion for Adjournment, 857, 874, 876
Trades Unions Commission—Mr. Conolly, 1438

Rolt, Sir J., *see* Attorney General, The

Roman Catholic Churches, Schools, and Glebes (Ireland) Bill [Bill 127]
(*Sir C. O'Loghlen, Mr. Gregory, Mr. Murphy*)
c. Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *July* 3, 941
Amendt. to leave out "now" and add "upon this day three months" (*Mr. Newdegate*); Question, "That 'now,' &c.;" after short debate, A. 75, N. 119; M. 44; words added; main Question put, and agreed to; Bill put off for three months

Romilly, Lord
Court of Appeal Chancery (Despatch of Business), 2R. 1433
Court of Chancery (Officers), 2R. 493, 494; Comm. *add. cl.* 765
London, Brighton, and South Coast Railway, 1423

Romney, Earl of
Ireland—Inland Fisheries, Address for Returns, 1429

Rosse, Earl of
Brown's Charity, 2R. Amendt. 498

Russell, Earl
Brown's Charity, 2R. 502
Increase of the Episcopate, 3R. 257
*Ireland—Established Church, Motion for an Address, 354, 368, 378, 419; Explanation, 506
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1717
Luxemburg, Grand Duchy of, 144, 157;—The Collective Guarantee, 974, 976
Mexico—Fate of the Emperor Maximilian, 979, 1710
Parliament—Business of the House, Motion for a Committee, 264
Representation of the People, 2R. 1786, 1865, 2008
Ritualism—The Royal Commission, 121
"Tornado," Case of the, 1717
Volunteers—Employment of, in Civil disturbances, 755

Rutland, Duke of
Representation of the People, 2R. 1828

St. Leonards, Lord
Sale of Land by Auction, Commons Amendments, 4

Sale of Land by Auction Bill [H.L.]
(*The Lord St. Leonards*)
l. Commons' Amendments considered *June* 18, 4 (No. 116)
Commons' Reasons for disagreeing to the Amendments made by the Lords to the Amendments made by the Commons considered; then it was moved to insist on the Amendments to which the Commons disagree *July* 2, 848 (No. 184)
On Question, whether to insist? Cont. 9, Not-Cont. 50; M. 41; resolved in the negative, and a Message sent to the Commons to acquaint them therewith
Royal Assent *July* 15 [30 & 31 *Vict.* c. 48]

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. O'Reilly, Lord Cremorne, Mr. Pim*) [Bill 95]
c. Moved, "That Mr. Speaker do now leave the Chair" *July* 2, 918
Amendt. to leave out from "That" and add "the Order for the said Committee be discharged" (*Mr. Murphy*)
Question, "That the words, &c.;" after short debate, A. 71, N. 92; M. 21; words added; main Question, as amended, agreed to

[*cont.*

Sale of Liquors on Sunday (Ireland) Bill—cont.
Ordered, That the Order for the said Committee be discharged
Ordered, That the Bill be committed to a Select Committee

Salmon Fishery Act (Ireland), 1863
Petition presented (*Lord Cranworth*) *June* 21, 260; after short debate, Petition ordered to lie on the table

Salmon Fishery (Ireland) Act Amendment Bill [H.L.] (*The Lord Cranworth*)
l. Presented; read 1^{a} * *June* 21 (No. 168)
Moved, "That the Bill be now read 2^{a}" (*The Lord Chancellor*) *July* 1, 761
Amendt. to leave out ("now,") and insert ("this Day Six Months") (*Lord Stanley of Alderley*); after short debate, on Question, "That ('now,') &c.;" Cont. 29, Not-Cont. 22; M. 7; Bill read 2^{a}
List of Cont. and Not-Cont. 764
Committee * *July* 2 (No. 199)
Report * *July* 4
Moved, "That the Bill be now read 3^{a}" (*The Lord Cranworth*) *July* 5, 1063
Amendt. to leave out ("now,") and insert ("this Day Six Months") (*The Lord Abinger*); after short debate, on Question, "That ('now,') &c.;" Cont. 17, Not-Cont. 24; M. 7; resolved in the negative; Bill to be read 3^{a} this Day Six Months
List of Cont. and Not-Cont. 1064

Salomons, Mr. Alderman D., *Greenwich*
Danubian Principalities—Treatment of Jews, Motion for an Address, 1140, 2071
Representation of the People, Comm. *cl.* 23, 54; *cl.* A, 619, 623; *add. cl.* 1015
Supply—Royal Parks, &c. 1692;—Labuan, 1770;—Cultivation of Flax (Ireland), 1906

Samuda, Mr. J. D'A., *Tavistock*
Meetings in Royal Parks, 2R. 1895
Naval Review, The, 1627, 1724
Representation of the People, Comm. Schedule B, 1283

Samuelson, Mr. B., *Banbury*
Ireland—Trinity College, Dublin, Res. 56
Trades Unions Commission — Mr. Conolly, 1437, 1438

Sandford, Mr. G. M. W., *Maldon*
Libel, Re-comm. *add. cl.* 546, 548
Mexico—Fate of the Emperor Maximilian, 983
Representation of the People, Comm. *cl.* 36, 296; *cl.* 40, 450; *cl.* 31, 529, 530; *add. cl.* 823, 842, 1010, 1015, 1017; Consid. Schedule C, Amendt. 1479; Schedule D, Amendt. 1481; 3R. 1587, 1607
South Eastern of Portugal Railway, 1436

Sat First
July 22—The Lord Kingston, after the Death of his Brother

Schreiber, Mr. C., *Cheltenham*
Representation of the People, Comm. *cl.* 19, 53; *cl.* 23, 54; *cl.* 40, 482; *add. cl.* 675, 873, 883

Sclater-Booth, Mr. G. (Secretary to the Poor Law Commissioners), *Hampshire, N.*
Frost, Case of the Pauper, 606
Metropolitan Poor Law Act—Nominees, 425
Poor Law Bill, 1874
Poor Law Board, Comm. 1417, 1420

Scotland
Collection of Fees, Question, Mr. Waldegrave-Leslie; Answer, Sir Graham Montgomery *July* 1, 768
Education, Observations, Mr. Grant Duff; Reply, Lord Robert Montagu *June* 21, 303
Granton and Burntisland Steam Ferries, Question, Mr. Waldegrave-Leslie; Answer, Mr. Stephen Cave *July* 4, 981; Question, Mr. Waldegrave-Leslie; Answer, Sir Graham Montgomery *July* 11, 1389
Representation of the People Bill, Question, Mr. Baxter; Answer, The Chancellor of the Exchequer *July* 5, 1067
Representation of the People, Question, Sir Andrew Agnew; Answer, The Chancellor of the Exchequer *July* 22, 1897
Under Secretary of State for, Question, Mr. Baxter; Answer, Mr. Gathorne Hardy *June* 20, 166

Scott, Lord H. J. M. D., *Selkirkshire*
Representation of the People, Comm. *cl.* 29, 233

Scourfield, Mr. J. H., *Haverfordwest*
Representation of the People, Comm. *cl.* 40, 443, 465; *cl.* A, 642; *add. cl.* 787
Supply—Rates for Government Property, 1705

Sea Coast Fisheries (Ireland) Bill (*Mr. Blake, Colonel Tottenham, Mr. Brady*)
c. Report * *July* 19 [Bill 268]

Sea Fisheries Bill (*Mr. Stephen Cave, Mr. Hunt, Mr. Shaw Lefevre*)
c. Ordered; read 1^{o} * *July* 2 [Bill 222]
Bill withdrawn * *July* 22

Sea—Loss of Life at
Question, Mr. Holland; Answer, Mr. Stephen Cave *June* 20, 170

Seely, Mr. C., *Lincoln*
Navy—Constitution of the Board of Admiralty, 980;—Dockyard Accounts, 1190;—Contract for Gunboats, 1512

Selkirk, Earl of
Representation of the People, 2R. 1863

Selwin-Ibbetson, Mr. H. J., *Essex, S.*
Representation of the People, 3R. 1599

Selwyn, Mr. C. J., *Cambridge University*
Representation of the People, Comm. *cl.* 40, 484
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 59
Supply—Volunteers, Report, 845
Tests Abolition (Oxford and Cambridge), 3R. 84
Uniformity Act Amendment, Comm. *add. cl.* 963

Sewage Bill (*Mr. Secretary Gathorne Hardy, Mr. Sclater-Booth*)
c. Ordered * *July* 16
Read 1° * *July* 18 [Bill 260]
Read 2° * *July* 22

Seymour, Mr. A., *Totnes*
Fulford and Wellstead, Case of, Motion for an Address, 1158

Seymour, Mr. H. D., *Poole*
India—Famine in Orissa, 1515
Representation of the People, Comm. *add. cl.* 891; Preamble, 1290, 1291; 3R. 1571
Supply—Houses of Parliament, 1701, 1702, 1703;—Bounties on Slaves, 1898, 1899

Shaftesbury, Earl of
Agricultural Employment, 2R. 1661, 1666
Convocation and the Commission on Ritualism, 1168, 1180, 1181
Increase of the Episcopate, 3R. Amendt. 245
Parliament—Business of the House, Motion for a Committee, 262
Representation of the People, 2R. Motion for Adjournment, 1872, 1917, 1923, 2023
Ritualism—The Royal Commission, 121, 122, 1168, 1180, 1181

Sheridan, Mr. H. B., *Dudley*
India Office—State Entertainment to the Sultan, 1668, 1726, 1727; Motion for an Address, 1759
Investment of Trust Funds, Comm. *add. cl.* 1654
Railways (Guards' and Passengers' Communication), Comm. *cl.* 1, 556; *cl.* 4, Amendt. 557, 558; *add. cl.* 559; 3R. 847

Shrewsbury, Earl of
Jamaica—Charge of the Lord Chief Justice—Mr. Purcell, 1722

Simeon, Sir J., *Isle of Wight*
Frost, Case of the Pauper, 605
Representation of the People, Comm. *cl.* 40, 483

Simla Court Martial—see *India*

Sir John Port's Charity Bill (*Lord Robert Montagu, Mr. Adderley*)
c. Report * *July* 2 [Bill 217]
Re-comm.*; Report *July* 4
Considered * *July* 5
Read 3° * *July* 5
l. Read 1ª * (*The Earl of Belmore*) *July* 8
Read 2ª * *July* 19 (No. 206)
Committee * *July* 22
Report * *July* 23

Slave Trade on the Nile
Question, Sir T. F. Buxton; Answer, Lord Stanley *July* 4, 980

Smith, Mr. J. A., *Chichester*
Charities and Schools, Rating of, 266
Increase of the Episcopate, 2R. 1650

Smith, Mr. J. B., *Stockport*
India—Metric System of Weights and Measures, 856
Poor Law Board, Comm. 1420
Representation of the People, Comm. *add. cl.* 998, 1211

Smollett, Mr. P. B., *Dumbartonshire*
Representation of the People, Comm. *add. cl.* 818, 883

Solicitor General, The (Sir J. B. Karslake), *Andover*
Libel, Re-comm. *cl.* 1, 543; *cl.* 4, 544; *add. cl.* 547
Representation of the People, Comm. *cl.* 36, 293; *cl.* 37, 302; *cl.* 43, 515; *add. cl.* 613; *cl.* A, Amendt. 624, 625; *add. cl.* 676, 1207
Volunteers, Res. 740

South Eastern of Portugal Railway
Question, Mr. Sandford; Answer, Lord Stanley *July* 12, 1436

South Kensington Museum (*National Gallery Pictures*)
Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Report of the Committee appointed by the Science and Art Department, to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum" (*Mr. Dillwyn*) *June* 25, 539; after short debate, Motion withdrawn

Spain
"*Tornado*," *Case of the*, Question, The Marquess of Clanricarde; Answer, The Earl of Malmesbury *July* 1, 765; Observations, Mr. Gregory; Reply, Sir Roundell Palmer *July* 23, 2034
"*Tornado*" *and the* "*Mermaid*"—*Case of the*—*Petition*, Observations, The Marquess of Clanricarde; Reply, The Earl of Derby *July* 19, 1714; short debate thereon
"*Mermaid*," *Case of the*, Amendt. on Committee of Supply *July* 19, To leave out from "That," and add "an humble Address be presented to Her Majesty, stating that, in the opinion of this House, the demand for compensation from the Spanish Government made in respect of the destruction of the Ship 'Mermaid' was just and right, and that there is nothing in the Correspondence laid before this House which would sanction Her Majesty's Government in withdrawing from the demand that has been made" (*Mr. Headlam*), 1743; Question, "That the words, &c.;" after debate, Amendt. withdrawn

Speaker, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
  Army—March of Troops to Hounslow, 1526
  Ireland—Trinity College, Dublin, Res. 56;—Taxation, Res. 1309
  Meetings in Royal Parks, 2R. 1895
  Naval Review, The, 1519
  Parliament—Members' Seats in the House, 163;—Alteration of Notices of Questions, 1066
  Representation of the People, Consid. *cl.* 5, 1458
  Roman Catholic Churches, Schools, &c. (Ireland), 2R. 955

Stacpoole, Mr. W., *Ennis*
  Roman Catholic Churches, Schools, &c. (Ireland), 2R. 958

Stanhope, Earl
  Christ Church (Oxford) Ordinances, 2R. 1426
  Convocation and the Commission on Ritualism, 1180

Stanhope, Mr. J. Banks, *Lincolnshire, N.*
  Representation of the People, Comm. *cl.* 36, 297; *cl.* 40, 462

Stanley, Right Hon. Lord (Secretary of State for Foreign Affairs), *Lynn Regis*
  Abyssinia—Captives in, 1723
  Cochin China—British Consulate, 427
  Columbian States—British Commerce with the, 667
  Crete—Affairs of, 173;—Insurrection in, 269, 420;—Case of the "Arkadi," 1188, 2073, 2074
  Danubian Principalities—Treatment of Jews, Motion for an Address, 1140, 2072
  Education, Technical, Abroad, 1723
  Egypt—Viceroy of, Visit of the, 665, 853, 854
  Foreign Decorations, 2071
  "Mermaid," Destruction of the Ship, Motion for an Address, 1750
  Mexico—Fate of the Emperor Maximilian, 984, 1393, 1394
  Naval Review, The, 1627
  Navy—Commodore Wiseman and the Turkish Navy, 1622, 1873
  Slave Trade on the Nile, 981
  South Eastern of Portugal Railway, 1436
  Supply—Niger Exhibition, 1771;—Coolie Emigration, 1771, 1772;—Bounties on Slaves, 1773, 1899;—Consuls Abroad, 1900, 1901;—Services in China, &c. *ib.*;—Ministers at Foreign Courts, 1902;—Special Missions, 1903
  "Tornado," Case of the, 2065
  United States—The "Alabama" Claims, 769

Stanley of Alderley, Lord
  Chatham and Sheerness Stipendiary Magistrate, 2R. 3
  Merchant Shipping, 2R. 851
  Parliament—Business of the House, Motion for a Committee, 264
  Railway Companies, 2R. 490
  Railways (Guards' and Passengers' Communication), 2R. 1257, 1260, 1261
  Salmon Fishery (Ireland) Act Amendment, 2R. Amendt. 762; 3R. 1064

Statute Law Revision Bill
(*The Lord Chancellor*)
c. Committee*; Report *June* 24 [Bill 194]
  Read 3° * *July* 1
  Royal Assent *July* 15 [30 & 31 *Vict.* c. 59]

Stipendiary Magistrates—Minutes of Evidence—The Cornish Magistrates
  Question, Mr. P. A. Taylor; Answers, Mr. Gathorne Hardy, Mr. Kendall *July* 15, 1513

Storm Warnings
  Question, Colonel Sykes; Answer, Mr. Stephen Cave *June* 24, 426; Question, Colonel Sykes; Answer, Mr. Stephen Cave *July* 8, 1187
  Amendt. on Committee of Supply *July* 19, To leave out from "That," and add "it is inexpedient, in consequence of the suspension of 'Storm Warnings,' to continue the present arrangement with the Committee of the Royal Society, at an expense of £10,000 per annum, the average cost of the Meteorological Department of the Board of Trade having been £4,300 per annum" (*Colonel Sykes*), 1728

Stradbroke, Earl of
  Agricultural Employment, 2R. 1664

Stratford de Redcliffe, Viscount
  Abyssinia—Imprisonment of British Subjects, 239, 242
  Luxemburg, Grand Duchy of, 155;—The Collective Guarantee, 977
  Mexico—Fate of the Emperor Maximilian, 1252, 1253, 1709, 1710
  Moldavia—Persecution of Jews, Motion for an Address, 746, 751
  Parliament—Notice of Questions, 1254
  Representation of the People, 2R. 1826

Stratheden, Lord (see Campbell, Lord)

Strathnairn, Lord
  Army—Transport and Supply Departments, 598

Street Outrages—Preservation of the Peace—The Militia
  Question, Colonel Biddulph; Answer, Sir John Pakington *June* 19, 87

Stuart, Colonel W., *Bedford*
  Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. Motion for Adjournment, 652
  Railways (Guards' and Passengers' Communication), Comm. 553; *cl.* 4, 557
  Representation of the People, Comm. *add. cl.* 1240, 1241

Stucley, Sir G. S., *Barnstaple*
  Cattle Plague, 16;—Importation of Foreign Cattle, 666

Sultan of Turkey—Visit of the
Naval Review, Observations, Colonel Knox; Reply, Mr. Corry *July* 15, 1519; Question, Colonel Gilpin; Answer, The Chancellor of the Exchequer *July* 16, 1626
India Office—State Entertainment, Question, Mr. Fawcett; Answer, Sir Stafford Northcote *July* 16, 1624; Question, Mr. H. B. Sheridan; Answer, Sir Stafford Northcote *July* 18, 1668; Question, Mr. H. B. Sheridan; Answer, Sir Stafford Northcote *July* 19, 1726
Amendt. on Committee of Supply *July* 19, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a List of the Persons invited to meet the Sultan at the State Entertainment to be given to His Majesty by the Indian Government" (*Mr. Henry B. Sheridan*), 1759; after short debate, Question, "That the words, &c.," put, and agreed to
Volunteer Review, Question, Lord Elcho; Answer, The Chancellor of the Exchequer *July* 15, 1518

Sunday Lectures Bill
(*Viscount Amberley, Mr. S. Mill, Mr. Coleridge*)
c. Moved, "That the Bill be now read 2°" (*Viscount Amberley*) *June* 19, 89
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Kinnaird*); after debate, Question, "That 'now,' &c.," put, and negatived; words added; main Question, as amended, agreed to; Bill put off for six months [Bill 106]

SUPPLY
Considered in Committee — POST OFFICE PACKET SERVICE *June* 21, 351—Resolution reported *June* 24
Report [13th June] *July* 1, 844—Postponed Resolution—THE VOLUNTEER FORCE—Considered; after short debate, Resolution agreed to
Considered in Committee — CIVIL SERVICE ESTIMATES—Class VI—Superannuation and Retired Allowances, &c. *July* 12, 1487—Resolutions reported *July* 15
Considered in Committee — CIVIL SERVICE ESTIMATES—Class VI.—Superannuation and Retired Allowances, &c.—Class I.—Public Works and Buildings *July* 18, 1672—Resolutions reported *July* 19
Considered in Committee — CIVIL SERVICE ESTIMATES — Class V.—Colonial, Consular, and other Foreign Services *July* 19, 1769—Resolutions reported *July* 22
Considered in Committee — CIVIL SERVICE ESTIMATES — Class V.—Colonial, Consular, and other Foreign Services—Miscellaneous, Special, and Temporary Objects *July* 22, 1897—Resolutions reported *July* 25

SURTEES, Mr. H. E., *Hertfordshire*
Representation of the People, Comm. *add. cl.* 1211

SYDNEY, Viscount
Charities, Assessment of, 745
Chatham and Sheerness Stipendiary Magistrate, 2R. 4

SYKES, Colonel W. H., *Aberdeen City*
Army—Case of Colour Sergeant Connell, 852
Board of Works, 666
Metropolitan Improvement, 1877
Representation of the People, Comm. *add. cl.* 806, 867, 1226
Storm Warnings, 426, 1187; Res. 1728
Supply—Labuan, 1770;—Niger Expedition, 1771;—Bounties on Slaves, 1772

SYNAN, Mr. E. J., *Limerick Co.*
Abyssinia—Expedition to, 1511
Army—Medical Officers, Res. 1141, 1146, 1147;—Army Medical Warrant of 1858, 1390
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, 1250
Industrial Schools (Ireland), Comm. 117
Ireland—Taxation, Res. 1312
Libel, Re-comm. *add. cl.* 545
Representation of the People, Comm. *cl.* 29, 213
Roman Catholic Churches, Schools, &c. (Ireland), 2R. 959

TALBOT DE MALAHIDE, Lord
Brown's Charity, 2R. 501

Tancred's Charities Bill
(*Lord Robert Montagu, Mr. Adderley*)
c. Re-comm.*; *July* 4—R.P. [Bill 207]

TAUNTON, Lord
Convocation and the Commission on Ritualism, 1170
Galway Harbour (Composition of Debt), 2R. 965

TAYLOR, Mr. P. A., *Leicester*
Fulford and Wellstead, Case of, 166; Motion for an Address, 1147, 1156, 1263
Meetings in Royal Parks, 1626; 2R. Amendt. 1884, 1894
Representation of the People, Comm. *add. cl.* 670; Consid. *cl.* 3, Amendt. 1457
Whortleberry Case, The, 1543

Tenants Improvements (Ireland) Bill
(*Lord Naas, Mr. Solicitor General for Ireland*)
c. Bill withdrawn* *July* 22 [Bill 29]

Tests Abolition (Oxford and Cambridge Bill (*Mr. Coleridge, Mr. Grant Duff*)
c. Moved, "That the Bill be now read 3°" (*Mr. Coleridge*) *June* 18, 83
After short debate, Moved, "That this House do now adjourn" (*Mr. Henley*); A. 80, N. 95; M. 15; Moved, "That the Debate be adjourned" (*Mr. Beresford Hope*); Debate adjourned
Adjourned Debate *July* 16, 1655

[*cont.*

Tests Abolition (*Oxford and Cambridge*) *Bill*—cont.
Amendt. to leave out "now," and add "upon this day three months" (*Sir Michael Hicks-Beach*); after short debate, Question, "That 'now,' &c." put, and agreed to; Bill read 3° [Bill 16]
l. Read 1ª* (*The Earl of Kimberley*) *July* 18 (No. 235)

"Tornado," Case of the—see *Spain*

Torrens, Mr. W. T. McCullagh, *Finsbury*
Parliament—Business of the House, 1877
Representation of the People, Comm. *cl.* 19; Amendt. 52; *cl.* 29, 180; Amendt. 183, 206

Townshend, Marquess of
Industrial Schools, 2R. 1711, 1713
Morewood, Mr. J. J., Case of, Motion for a Committee, 660

Trades Union Commission Act (1867) Extension Bill
(*Mr. Secretary G. Hardy, Mr. Sclater-Booth*)
c. Ordered; read 1°* *July* 3 [Bill 227]
Read 2°* *July* 8
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Gathorne Hardy*) *July* 11, 1398; after debate, Bill considered in Committee and reported
Read 3°* *July* 12
l. Read 1ª* (*The Earl of Belmore*) *July* 15
Read 2ª* *July* 18 (No. 225)
Committee* *July* 19 (No. 243)
Report* *July* 22
Read 3ª* *July* 23
Royal Assent *August* 12 [30 & 31 *Vict.* c. 74]

Trades Unions—Royal Commission—Mr. Conolly
Question, Mr. Samuelson; Answer, Mr. Gathorne Hardy *July* 12, 1437

Tramways (Ireland) Acts Amendment Bill (*Mr. Monsell, Mr. Sherriff*)
c. Committee* *July* 11—R.P. [Bill 124]
Committee* *July* 23—R.P.

Transubstantiation, &c. Declaration Abolition Bill (*The Earl of Kimberley*)
l. Moved, "That the House do now resolve itself into a Committee on the said Bill" (*The Earl of Kimberley*) *July* 11, 1379
Amendt. to leave out ("now") and insert ("this Day Six Months") (*The Marquess of Westmeath*); after short debate, Question, That ("now") &c., put, and agreed to; House in Committee
Moved, That the Bill be now reported
Amendt. to leave out ("now") and insert ("this Day Three Months") (*The Marquess of Westmeath*); on Question, That ("now") &c., resolved in the affirmative; Bill reported
Moved, "That the Bill be now read 3ª" (*The Earl of Kimberley*) *July* 16, 1617; Bill read 3ª

Treeby, Mr. J. W., *Lyme Regis*
Representation of the People, Consid. *add. cl.* 1452

Trevelyan, Mr. G. O., *Tynemouth*
Army—The 13th Hussars, 1393
Representation of the People, Comm. *cl.* 15, Amendt. 37, 43

Trollope, Right Hon. Sir J., *Lincolnshire, S.*
Representation of the People, Comm. *cl.* A, 618

Trusts (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *July* 1 (No. 195)
Read 2ª* *July* 12
Committee*; Report *July* 15
Read 3ª* *July* 16
c. Read 1°* *July* 19 [Bill 266]

Turkey
Appointment of Sir William Wiseman, Question, Mr. J. Stuart Mill; Answer, Lord Stanley *July* 16, 1621; Question, Mr. J. Stuart Mill; Answer, Lord Stanley *July* 22, 1873
"*Arkadi,*" *The*, Question, Mr. Layard; Answer, Lord Stanley *July* 8, 1188; Question, Mr. Layard; Answer, Lord Stanley *July* 23, 2072 e of
Insurrection in Crete, Question, The Duk 20, Argyll; Answer, The Earl of Derby *June* er, 158; Question, Mr. Darby Griffith; Answk; Lord Stanley, 172; Question, Mr. Mon s-Answer, Lord Stanley *June* 21, 269; Que d tion, Mr. Darby Griffith; Answer, Lor Stanley *June* 24, 429
Treatment of Christians, Question, The Earl of Denbigh; Answer, The Earl of Derby *June* 24, 353

Turnpike Acts Continuance Bill
(*Mr. Secretary G. Hardy, Mr. Sclater-Booth*)
c. Ordered; read 1°* *July* 8 [Bill 232]
Moved, "That the Bill be now read 2°" *July* 22, 1909; after short debate, Bill read 2°

Turnpike Trusts Arrangements Bill
(*Mr. Secretary G. Hardy, Mr. Sclater-Booth*)
c. Ordered; read 1°* *July* 8 [Bill 233]
Read 2°* *July* 11
Committee*; Report *July* 12
Read 3°* *July* 15
l. Read 1ª* (*The Earl of Belmore*) *July* 16
Read 2ª* *July* 18 (No. 229)
Committee*; Report *July* 19
Read 3ª* *July* 22
Royal Assent *July* 25 [30 & 31 *Vict.* c. 66]

Turnpike Trusts Bill
(*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Ayrton, Mr. Goldney*)
c. Bill withdrawn* *July* 22 [Bill 189]

Uniformity Act Amendment Bill
(*Mr. Fawcett, Mr. Bouverie*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 3, 962; after short debate, Bill considered in Committee and reported [Bill 68]
Considered * *July* 4

United States—"Alabama" Claims
Question, Mr. Baxter; Answer, Lord Stanley *July* 1, 769

Vaccination Bill
(*Lord R. Montagu, Mr. G. Hardy, Mr. Earle*)
c. Considered * *June* 24 [Bill 175]
Moved, "That the Bill be now read 3°" *June* 27, 649
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Vanderbyl*); after short debate, Question, "That 'now,' &c.," put, and agreed to; main Question put, and agreed to; Bill read 3°
l. Read 1ª * (*The Lord President*) *June* 28 (No. 189)
Read 2ª, and referred to a Select Committee *July* 11; List of the Committee, 1388
Report of Select Committee *July* 19 (No. 239)
Committee * *July* 23—R.P.

Valuation of Property Bill
(*Mr. Hunt, Mr. Secretary Walpole, Mr. Secretary Gathorne Hardy*)
c. Bill withdrawn * *July* 18 [Bill 177]

VANCE, Mr. J., *Armagh City*
Courts of Law Officers (Ireland), Re-comm. *cl.* 35, Amendt. 1250
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487
Industrial Schools (Ireland), Comm. Amendt. 117
Railways (Guards' and Passengers' Communication), 3R. 847
Representation of the People, Comm. *cl.* 31, 530, 533, 611; *add. cl.* 669, 373, 702, 789, 1014; Amendt. 1017, 1018, 1203
Supply—Nonconforming, &c. Ministers (Ireland), 1677;—Bounties on Slaves, 1772

VANDERBYL, Mr. P., *Bridgwater*
Cochin China—British Consulate, 427
Vaccination, 3R. Amendt. 649

Veal, Cruelties in the Preparation of
Question, Mr. Bagwell; Answer, Mr. Gathorne Hardy *July* 1, 770

VERNER, Sir W., *Armagh Co.*
Ecclesiastical Titles and Roman Catholic Relief Acts, Comm. 487

VERNEY, Sir H., *Buckingham*
Representation of the People, Comm. *cl.* A, 623, 632; *add. cl.* 1014, 1015, 1021, 1032, 1202

Vice Admiralty Courts Act Amendment Bill [H.L.] (*The Lord Chancellor*)
c. Read 2° * *June* 24 [Bill 155]
Committee *; Report *June* 28
Read 3° * *July* 1
Royal Assent *July* 15 [30 & 31 *Vict.* c. 45]

VIVIAN, Hon. Captain J. C. W., *Truro*
Army—Lieut. Colonels of Cavalry, 429;—March of Troops to Hounslow, 1525;—Increase of Pay, 1873
Birmingham Riots, 17
Metropolis—Hyde Park Review, 772
Mexico—Fate of the Emperor Maximilian, 985
New Zealand—Troops in, 2082
Parliament—Public Business, 779
Volunteers, Res. 728, 732, 744

VIVIAN, Mr. H. H., *Glamorganshire*
Representation of the People, Comm. *cl.* 40, Amendt. 471

Volunteers
Amendt. on Committee of Supply *June* 28, To leave out from "That," and add "the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens, and are in such cases no more than any other Citizen liable to orders or instructions from the Military or Civil Authorities" (*Captain Vivian*), 728; Question, "That the words, &c.;" after long debate, Question put, and negatived; Amendt. again proposed
Amendt. proposed to the said proposed Amendt. by leaving out from the word "Citizens," to the end of the proposed Amendt. (*Mr. Ayrton*); original Question, as amended, put, and agreed to
Resolved, "That the Volunteer Force was established solely for the purpose of security against Foreign Invasion, and that the Members of that Force, in cases of domestic tumult or disturbance, have no obligations or duties distinct from those of other Citizens"
Riots at Birmingham, Questions, Mr. Horsman, Mr. Whalley; Answers, Sir John Pakington, Mr. Gathorne Hardy *June* 20, 173; Question, Mr. Horsman; Answer, Sir John Pakington *June* 24, 428
Supply—The Volunteer Force, Report [13th June] *July* 1, 844—Postponed Resolution considered; after short debate, Resolution agreed to
Volunteers, Employment of, in Civil Disturbances—The Instructions, Observations, Earl de Grey; Reply, The Earl of Malmesbury *July* 1, 751

WALCOTT, Admiral J. E., *Christchurch*
Africa—West Coast—Naval Squadron, Res. 2077

WALDEGRAVE-LESLIE, Hon. G., *Hastings*
Local Government Supplemental (No. 2), Lords Amendments, 1421
Scotland—Collection of Fees, 768 ;—Granton and Burntisland Steam Ferries, 981, 1389

WALKER, Major G. G., *Dumfriesshire*
Army—Snider Rifle, 1517

WALPOLE, Right Hon. S. H., *Cambridge University*
Attorneys, &c. Certificate Duty, 551
Investment of Trust Funds, Comm. *add. cl.* 1653
Representation of the People, Comm. *cl.* 17, 49 ; *cl.* D, 648
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ERRATA.

Folio 497, line 6 from bottom, *for* carefully in the will, *read* carefully read the will.

Folios 1250 and 1251, *for* Attorney General for Ireland (Mr. Warren), *read* Attorney General for Ireland (Mr. Chatterton).

Folio 1262, line 22 from bottom, *for* Deus, *read* Dens.

Folio 1376, line 21, *for* Lord Athlumney, *read* Lord Meredyth.

Folio 1907, Vote 19, *for* £791, *read* £13,592.

END OF VOLUME CLXXXVIII., AND FOURTH VOLUME OF THE SESSION 1867.

LONDON: CORNELIUS BUCK, PRINTER, 23, PATERNOSTER ROW.

[illegible]

15 MAR 1971